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DEBATES

OF

THE SENATE

OF THE

DOMINION OF CANADA

1893

REPORTED AND EDITED BY

HOLLAND BROS.,

Official Reporters of the Senate of Canada.

THIRD SESSION—SEVENTH PARLIAMENT.

OTTAWA
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THE DEBATES
OF THE
SENATE OF CANADA
IN THE
THIRD SESSION OF THE SEVENTH PARLIAMENT OF CANADA, APPOINTED TO MEET FOR DESPATCH OF BUSINESS ON THURSDAY, THE TWENTY-SIXTH DAY OF JANUARY, IN THE FIFTY-SIXTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN VICTORIA

THE SENATE.

Ottawa, Thursday, January 26th, 1893.

The SPEAKER took the Chair at 2.30 o'clock.

Prayers.

NEW SENATORS.

The following newly appointed senators were introduced, and having taken the oath prescribed by law, and signed the roll, took their seats :—

Hon. Mackenzie Bowell.
Hon. Auguste Réal Angers.
Hon. John Ferguson.
Hon. Alphonse Desjardins.
Hon. Thomas A. Bernier.
Hon. John Nesbitt Kirchhoffer.
Hon. Clarence Primrose.

The House was adjourned during pleasure.

After some time the House was resumed.

THE SPEECH FROM THE THRONE.

His Excellency the Right Honourable Sir Frederick Arthur Stanley, Baron Stanley of Preston, in the County of Lancaster, in the Peerage of the United Kingdom, Knight Grand Cross of the Most Honourable Order of the Bath, Governor-General of Canada, being seated in the Chair on the Throne.

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House,—"It is His Excellency's pleasure they attend him immediately in this House."

Who being come with their Speaker,

His Excellency the Governor-General was then pleased to open the Session by a gracious Speech to both Houses.

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

In meeting you at the commencement of another session of Parliament, it affords me pleasure to congratulate you on the continued progress which the history of the past year unfolds with regard to Canada.

The increase in trade, as illustrated by the exports and imports during the period for which the official returns have been prepared, has been most gratifying, and that increase has continued down to the present time, with promise that the volume of trade during the current year will exceed that of any year in the history of the Dominion.

The revenues of the country have likewise provided for all the services for which Parliament has made appropriation, and the operation of the Government railways has been less burdensome, as regards the difference between income and expenditure, than has been the case for a long term of years previously.

In Manitoba and the North-west Territories the increase in immigration has been decidedly encouraging, both as regards the number of persons who have come from other countries and as regards the number of homestead entries made by settlers of all nationalities.

Measures have been taken to carry into effect the agreements arrived at with the United States on the subjects of the boundary of Alaska, the boundary line in Passamaquoddy Bay, and the prevention of destructive methods of fishing, and the preservation and increase of fish life. With regard to reciprocity in wrecking and towing, a correspondence has taken place which indicates that privileges are demanded for United States vessels in Canadian canals, which were not anticipated, but it is not impossible that a satisfactory conclusion of the discussion may yet be reached.

During the recess a friendly conference took place between delegates from my Government and from the Government of Newfoundland on the questions which were pending between the two countries. It is hoped and expected that the interchange of views which then took place will be productive of beneficial results and lead to an amicable adjustment of those questions.

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The Statutes of 1887 relative to a Department of Trade and Commerce and to the office of Solicitor-General having been brought into force, the appointments were made which were contemplated by these Acts.

It is to be regretted that the Government of the United States were unable to accept the suggestions made by my Government on the subject of canal tolls, and that the President should have thought it necessary to impose exceptional tolls on Canadians using the Sault Sainte-Marie Canal, which has so long been free to the people of both countries. My Government, while ready to consider in a friendly spirit any proposals which may be made by the Government of the United States, have caused efforts to be made to hasten the completion of the Canadian canal works, which will soon afford to the commerce of the Dominion a highway within our own country.

Measures will be laid before you for the improvement of the Franchise Act, for the amendment of the laws relating to the Civil Service, and the superannuation of civil servants, for regulating the admission of evidence in causes and matters under the control of the Parliament of Canada, for extending the system of voting by ballot to the North-west Territories, and for simplifying the laws relating to lands and land transfers in the Territories.

Gentlemen of the House of Commons :

The Public Accounts of the past year and the Estimates for the ensuing year will be laid before you without delay, and I trust it will be seen that ample provision may be made for the public service without increasing taxation.

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

I have every confidence that all these matters will receive your best attention and that your deliberations will keep in view, above all other considerations, the welfare and stability of the country.

His Excellency the Governor-General was pleased to retire, and the House of Commons withdrew.

BILL INTRODUCED.

Bill (A) "An Act relating to Railways." (Mr. Bowell.)

THE ADDRESS.

MOTION.

The SPEAKER reported His Excellency's Speech from the Throne, and the same was read by the Clerk.

Hon. Mr. BOWELL moved that the Speech be taken into consideration on Monday next.

The motion was agreed to.

THE COMMITTEE ON PRIVILEGES.

MOTION.

Hon. Mr. BOWELL moved—

That all the members present during this session be appointed a committee to consider the Orders and Customs of this House and Privileges of Parliament, and that the said committee have leave to meet in this House, when and as often as they please.

The motion was agreed to.

The Senate adjourned at 4 p.m.

THE SENATE.

Ottawa, Monday, January 30th, 1893.

THE SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

THE LATE SENATORS GIRARD, GRANT AND STEVENS.

Hon. Mr. BOWELL—Before the Orders of the Day are called, it has been suggested, and I think very properly, that reference should be made to those members of the Senate who have passed away since last session. I can only express my very deep regret that the first duty I have to perform in this House should be to give expression not only to my own feelings but what I believe to be the feelings of every member of the Senate who has had the pleasure of acquaintance with the late hon. gentlemen, Messrs. Girard, Stevens and Grant. Personally, I have had more intimate acquaintance with the first-named gentleman. Ever since he was appointed to the Senate, I have had constant intercourse with him and I always found that the representative from Manitoba had but one object in view, and that was the lending and exercising of his ability and talent, whatever they may have been, in the interests of his country and more particulary in those of Manitoba, where he had lived for years. The other hon. gentlemen are better known to you, with whom they were associated for many years, than to me, but knowing them casually, and from the position that they held in the country and in the particular localities in which they lived, I am justified, I am sure, in saying that all regret their death and that the Senate has lost in them, as well as in the person of Mr. Girard, not only amiable companions but men whose great desire was to see this Dominion prosperous. I shall not enlarge upon this painful question, and I can only repeat that it is with very great sorrow and regret I feel that it has devolved upon me, on my first appearance in this House, to give expression to my own feelings, and as I believe, the feelings of all who had the honour and pleasure of knowing these gentlemen.

Hon. Mr. SCOTT—I cordially unite in the expression of deep regret to which we have listened, and appreciation of the characters of the gentlemen who are no longer members of this Chamber, who were with us last year and are now removed to another sphere. Senator Girard, as the hon. leader of this House very properly observed, was intimately connected with all matters appertaining to the North-west. He had been a resident of that country from an early period, since Confederation, and he invariably took a deep interest in all that concerned Manitoba and the North-west. The other two gentlemen, Mr. Stevens and Mr. Grant, were men of sterling character, men who were not obtrusive, who did not often obtrude their opinions before this House, but whose judgment was always regarded as sound and useful on the committees on which they served. Mr. Stevens had a long and practical knowledge of banking, having been intimately connected with banking institutions. He was a man of particularly well balanced and intelligent mind, especially in matters connected with finance. Mr. Grant, unfortunately, for many years suffered from deafness and was not able, therefore, to join, as he otherwise might have done, in the deliberations of this Chamber, being unable to hear at times what was going on. He was a man always respected, however, and who earned the esteem of members of the Senate with whom he came in contact. I am sure we all join sincerely in expressing deep regret at the deaths of these gentlemen.

Hon. Mr. PRIMROSE—I shall ask you to bear with me for just one moment while I attempt to pay my humble tribute to my late friend and predecessor, the Hon. Robert Patterson Grant, of Pictou. I knew him long, I knew him intimately, I knew him in business relations and I knew him in social relations, and, as I said to his widow, on paying my farewell visit to her, when leaving my native town, I wish here publicly, on the floor of the Senate Chamber of the Dominion, to state that if, when my own record is done, if when to me the supreme hour comes, I shall have retained in the same measure as my late hon. friend and predecessor did, the confidence, respect and esteem of all who knew him and the love of those who knew him best, I shall rest perfectly satisfied. This much I deem it my simple duty to say in regard to my late friend.

Hon. Mr. BERNIER (in French)—As the successor of the late Mr. Girard in this House, I feel it my duty, as it is my privilege, to say a few words on this subject. I am pleased to hear of the esteem in which he was held in this House. Our late friend took a deep interest in everything that was calculated to benefit the Dominion and especially Manitoba and the North-west Territories. I thank the hon. leader of the Senate for his kind references to my honoured predecessor in this House.

THE ADDRESS.

MOTION.

Hon. Mr. FERGUSON moved:

That the following Address be presented to His Excellency the Governor-General, to offer the respectful thanks of this House to His Excellency for the gracious Speech he has been pleased to make to both Houses of Parliament, namely:—

To HIS EXCELLENCY the Right Honourable Sir FREDERICK ARTHUR STANLEY, Baron Stanley of Preston, in the County of Lancaster, in the Peerage of the United Kingdom, Knight Grand Cross of the Most Honourable Order of the Bath, Governor-General of Canada.

MAY IT PLEASE YOUR EXCELLENCY:—

We, Her Majesty's dutiful and loyal subjects, the Senate of Canada in Parliament assembled, humbly thank Your Excellency for your gracious Speech at the opening of this session.

We rejoice that Your Excellency, in meeting us at the commencement of another session of Parliament, has the pleasure of congratulating us on the continued progress which the history of the past year unfolds with regard to Canada.

We are glad to learn from Your Excellency that the increase in trade, as illustrated by the exports and imports during the period for which the official returns have been prepared, has been most gratifying, and has continued down to the present time, with promise that the volume of trade during the current year will exceed that of any year in the history of the Dominion.

It affords us much pleasure to hear that the revenues of the country have likewise provided for all the services for which Parliament has made appropriation, and that the operation of the Government railways has been less burdensome, as regards the difference between income and expenditure, than has been the case for a long term of years previously.

We are also gratified to hear that in Manitoba and the North-west Territories the increase in immigration has been decidedly encouraging, both as regards the number of persons who have come from other countries and as regards the number of homestead entries made by settlers of all nationalities.

We thank Your Excellency for informing us that measures have been taken to carry into effect the agreements arrived at with the United States on the subjects of the boundary of Alaska, the boundary line in Passamaquoddy Bay, and the prevention of destructive methods of fishing and the preservation and increase of fish life. We are glad to be informed further, with regard to reciprocity in wrecking and towing, that though a correspondence has taken place which indicates that privileges are demanded for United States vessels in Canadian Canals, which were not anticipated, it is not impossible that a satisfactory conclusion of the discussion may yet be reached.

We hear with great interest the announcement that during the recess a friendly conference took place between delegates from Your Excellency's Government and from the Government of Newfoundland, on the questions which were pending between the two countries, and that it is hoped and expected that the interchange of views which then took place will be productive of beneficial results and lead to an amicable adjustment of those questions.

We thank Your Excellency for the information that the Statutes of 1887 relative to a Department of Trade and Commerce and to the office of Solicitor General having been brought into force, the appointments were made which were contemplated by these Acts.

We respectfully concur in Your Excellency's regret that the Government of the United States were unable to accept the suggestions made by your Government on the subject of canal tolls, and that the President should have thought it necessary to impose exceptional tolls on Canadians using the Sault Sainte Marie Canal, which has so long been free to the people of both countries. We hear with satisfaction that Your Excellency's Government, while ready to consider in a friendly spirit any proposals which may be made by the Government of the United States, have caused efforts to be made to hasten the completion of the Canadian canal works, which will soon afford to the commerce of the Dominion a highway within our own country.

We respectfully thank Your Excellency for informing us that measures will be laid before us for the improvement of the Franchise Act, for the amendment of the laws relating to the Civil Service and the superannuation of civil servants, for regulating the admission of evidence in causes and matters under the control of the Parliament of Canada, for extending the system of voting by ballot to the North-west Territories, and for simplifying the laws relating to lands and land transfers in the Territories.

Your Excellency may have every confidence that all these matters will receive our best attention and that our deliberations will keep in view, above all other considerations, the welfare and stability of the country.

He said: In rising to move the Address in reply to the gracious speech of His Excellency to both Houses of Parliament, I am sensible of and profoundly grateful for the high compliment that has been paid me. I do not, however, suppose that I have been chosen for this honourable duty, because of any special fitness that I possess, but because it is the time-honoured and courteous custom of this honourable House to grant the favour to one of its new members, and while I am not altogether inexperienced in parliamentary life, I could have heartily wished that this mantle had fallen upon other shoulders. I assure hon. gentlemen that I approach this task with a great deal of hesitancy, diffidence and trepidation, knowing that I am addressing hon. gentlemen here who have a wide range of knowledge and experience in all the avenues, not only of political but of agricultural, professional and commercial life, I therefore crave at your hands that kind indulgence, that generous consideration which it is your custom to grant to beginners. I may be permitted to say here, that I thoroughly appreciate and very highly prize the great honour that has been conferred upon me by His Excellency in Council in granting me a seat in this honourable House, and I hope that the appointment will be as satisfactory to the country as it is pleasant and grateful to me. I can assure you that the highest ambition of my life in this new sphere will be to conduct myself in such a way as not only to give satisfaction to the country, but to merit the respect, good-will and personal friendship of every member of this honourable House. Therefore, I repeat, I highly honour, prize and appreciate the privilege of sitting amongst hon. gentlemen of distinction such as this House holds. Before I proceed to the Address proper, may I be permitted to say to you that if report be true, and we hope that it is not true, we shall lose from amongst us in the near future that distinguished nobleman who has so wisely, prudently and acceptably presided over us for the last five years as the representative of Her Majesty the Queen. I think I am voicing not only the feelings and sentiments of this House but the feelings and sentiments of this country, when I say that he will carry with him the high esteem and affectionate regard and best wishes of the people of this whole country. We would ask His Excellency, on his return home, to convey to Her Majesty the Queen this message: That the people of Canada to-day are her dutiful and loyal subjects, notwithstanding the groanings and croakings of pessimists who are among us. They are few in number it is true, but few in number often, like the crickets under the fern, make a bigger noise than the thousands of cattle that roam its field in peace and quietness. Notwithstanding the remarks of a few pessimists we are, to-day, her dutiful and loyal subjects, and we have reason to suspect, and many do suspect, that these croakers are under the baneful influence of designing persons having their abode in a foreign country.

Now, the principal feature of the Address which I have to move to-day is that paragraph which deals with the prosperity of this country. I am glad to say that we, with all earnestness, not only agree with, but thoroughly endorse the statement that the country is prosperous. I grant you there are isolated cases, in localities, amongst individuals, who are not exactly prosperous, but as a whole this country is prosperous, and if you will permit me for a few moments, I will adduce the evidence in order to establish the position that His Excellency has taken in the speech that he has made. You know that prosperity is a comparative word after all; if we are as well-to-do as our neighbours, or perhaps a little better off, we are considered prosperous. It is not necessary to have absolute wealth, absolute comfort, absolute everything in order to be prosperous. We must use the word in a comparative sense, and in this sense I propose to use it to-day. Why, hon. gentlemen, if we are to be judged from the stand-point of the credit of this country every doubt that may rest in the minds of hon. gentlemen present is dispersed. The most sensitive test that can be applied to the prosperity of any country or to any individual, is that of credit. Now, hon. gentlemen take our credit in the money markets of the world to-day and where does it stand? As high as that of any nation under the sun of a thousand years of age, or perhaps older! Why, hon. gentlemen, not only is our credit high, not only is the interest we have to pay low, but our securities are largely sought after by the investors of the world. This, I say, is the most sensitive test that can be applied, and by this alone we are assured that the progressive wealth and prosperity of this country is beyond all disputation and cavil. I will grant you that we are not to-day individually piling up the large fortunes that are being amassed by the people to the south of us. The wealth of this country is equally distributed. The great differences between extremes of wealth and poverty are not to be found in this country. In this, the greatest proof of our prosperity exists. In order to establish the position that His Excellency has taken, if you will bear with me for a little while, I will give you a few percentages. I am quoting now from the records of the country, and those records are open to the public. We find the aggregate trade of this country from 1869 to 1873 increased 66 per cent. We find, and I point this out not for a political purpose, but for the purpose of showing you the sensitiveness of the test—it is as sensitive as a barometer or a thermometer that hangs on the wall—that from 1873 to 1879 the aggregate trade of this country dropped off 41 per cent. From 1879 to 1882 that trade again revived and increased 32 per cent. The increase of the total trade of this country from 1869 to 1892 is 70 per cent. Now, everybody will acknowledge that we had a great depression in this country from 1873 to 1879. I do not say that it was because any political party was in power. But so sensitive is commerce that during that depression the aggregate trade of this country dropped of 41 per cent. As soon as trade revived, it again increased in 13 years 52 per cent. Now let me take another test: it is stated by Edward Atkins, the greatest living American statistician, and perhaps the best authority we have on this continent, that the progressive wealth of a country can be better measured by the volume of fire insurance than any other method. What amount do we find at risk at different periods? In 1869 it was $180,359,809. We find that it increased up to 1876, when it reached $454,608,000. Now, the sensitiveness of this test is again illustrated. During the period of adversity in this country it fell off to $407,000,000—a loss of 47 millions. We find that in 1891 it rose by leaps and bounds until the amount of insurance had reached the enormous sum of 760 millions of dollars. The increase of the amount as risk of fire insurance from 1869 to the present day is 300 per cent. Measured by this acknowledged sensitive test—the most sensitive that can be found of the condition of a country the prosperity of Canada is marked. From 1881 to 1892, in ten years, this test applied to the progressive wealth of this country showed an increase of 64 per cent, while the population only increased 12 per cent. Now let me apply another test: that of life insurance. The great Mulhall, who is perhaps the greatest statistician that the world knows and one of the greatest financiers, states that no better test of the prosperity of a country can be found than the volume of life insurance. In 1869 we had only $35,680,000 in life insurance in this country. In 1874 it had increased to $85,716,325. Now, the sensitiveness of this test is again apparent; and I ask you to observe it. In 1878 the life insurance of this country dropped off to $84,751,937. In 1890 it rose up to $248,424,576; and in 1891 to the enormous amount of $261,500,000. According to this the onward progress of this country showed no less than 630 per cent of an increase. The increase from 1879 was no less than 190 per cent, and from 1881 to 1891 no less than 182 per cent. The late Lord Derby, one of the greatest financiers England has ever seen, stated that national prosperity and progressive wealth is shown by the consumption of tea, coffee and sugar, perhaps better than by any other standards.

Now, let us apply this test of national prosperity, taking periods of two and three years. From 1871 to 1873 the average consumption of coffee in this country was 1,970,000 lbs. From 1874 to 1879 the sensitiveness of this test was again displayed. The average consumption dropped to 1,734,000 lbs. From 1890 to 1892 it rose to 3,298,000 lbs., an increase of 91 per cent. The consumption of tea increased 22 per cent from 1879. The combined consumption of tea, coffee and sugar in 1879 was 15,360,320 lbs. In 1892 it had risen to 25,541,000 lbs., an increase of 70 per cent. Now, I am satisfied that applying these tests of national prosperity, which are acknowledged to be the most sensitive and accurate that can be found to ascertain the progressive wealth of the country, they will confirm the truthfulness of the statement made by His Excellency to this honourable body and to the Lower House; and for this reason I use it, I have not done it for the purpose of political effect, but when His Excellency, the representative of the Queen, makes a statement to Parliament I conceive it to be my duty to confirm that statement so far as it can be legitimately and properly done by the records before us. We have this prosperity in Canada without the appalling, hopeless and degrading poverty so prevalent in the country south of us. This appears to be a startling statement, but it is nevertheless true. I point you to the *Arena* of December, pages 49 to 55, on the authority of Mr. McCullough, one of the best authorities in the United States on such subjects, to show that the neighbouring country is not the Eldorado that it has been painted by some of our people. In the city of New York alone, there were no less than 29,720 evictions last year, and 148,000 people homeless, naked and starving on the streets of New York, while within a few blocks lived twelve individuals whose aggregate wealth amounted to no less than 800 millions of dollars. He states that 200 wealthy people in the same locality control the vast sum of 3,000 millions of dollars, while under their eyes starving thousands are to be found. I point this out to show that after all the United States is not the country that many conceive it to be. We find that the arrests in the city of New York in one year ending September last, amounted to no less than 88,152, of which number 24,350 were females. No such degrading poverty is to be found in any other civilized country in the world as is found in the city of New York. I state this on the authority of Mr. McCullough, who lives there and is a close observer. What is true of New York is true of other cities in the United States. I know that it is so of Buffalo and Chicago and other centres of population. These vast fortunes in the United States to which I have referred, have been abstracted from the pockets of farmers in the Western States by bulling and bearing agricultural products on the Chicago market. Will you believe me, when I tell you that the 12 million families of the United States have nine millions of mortgages upon their properties and almost six millions of chattel mortgages on their household furniture. Fifteen millions of mortgages—not money, but mortgages—on the twelve million families in the United States. I state this on the authority of the *Arena* for January. In five states, Illinois, Iowa, Missouri, Kansas and Nebraska, we find $1,174,732,741 mortgages due upon the lands of these states and 783 millions in chattel mortgages, making a burden upon the people in these five states of no less than almost two thousand millions of dollars. They are mortgaged beyond all hope of redemption; and in support of this statement, I point you to the *Arena* of January, pages 204 and 205. I do not mention those things exultantly. On the contrary, I deplore them. But as there are individuals who are trying to turn the people of this country from their true allegiance, by pointing to the United States as a land flowing with milk and honey, a veritable Eldorado, where everybody is fed with a silver spoon and sups from a golden goblet, I feel it my duty, on the floor of this Chamber, to call the attention of the people of Canada to the fact that such is not the case, and in support of my statement, I call to witness those great authorities from whom I have quoted, to show that pauperism, degraded poverty and crime are rampant in that country and are to be found on every hand. I call them to witness to prove that our pessimistic teachers are false teachers and are not conveying the true message of hope to the people of Canada. These pessimistic teachers, I fear, are under the influence of designing individuals living in a foreign country, and if such is the case the people of this country ought to know it. I will now turn my attention to another clause of the Address — that is, the Sault Sainte Marie canal. I congratulate the Government of this country on their foresight. They foresaw the difficulty that must inevitably arise in the navigation of the lakes, and commenced the construction of a lock and canal of our own at Sault Sainte Marie which they are rapidly pushing to completion. Unfortunately for us and for the world, to grow great and not play the despot is a sublime virtue not known to the people to the south of us, and the only way to have enduring peace and good-will between the two countries is to be, so far as these matters are concerned, independent of them; and such was the view of our Government. If we were not independent, perhaps when the necessity arose to use the Soo canal, our neigbours could at any time cut us off, and extort double or treble the value of the right to use the canal in exchange for something else. Therefore, I say it was wise and prudent on the part of the Government of this country to commence the construction of a canal of our own. We all know that they are too liable in the United States to allow their party politics to enter into the consideration of international relations; and as they have politics on tap there all the time, we do not know the moment the lion's tail might be twisted and this country deprived of the privilege of using the Soo canal. I think, therefore, our Government have done well to build a canal on our own side so that we may utilize to the fullest advantage the great water route from the Atlantic to the head of Lake Superior. I visited the Soo last summer and in my humble judgment, and not only in my judgment but in that of engineers and navigators whom I consulted, we will have a lock there as substantial and as good, and owing to the peculiar plan of its construction and mode of operating, as great in capacity as that of our neighbours—though not so large, and is being constructed at much less expense than theirs is. If I may judge by the enormous amount of plant that the contractors have put on that work, and the vigour and energy with which they are pushing it, we will have that lock completed in a little over half the time it took our neighbours to build theirs. It is a matter of sincere rejoicing on our part that the trade negotiations going on between the Government of this country and the Government of Newfoundland are likely to reach a fair and just settlement. It is to be hoped that the settlement of these questions will lead to negotiations for the admission of Newfoundland into the Confederation of Canada. We would gladly welcome those people, who are true and loyal British subjects into our union in order to complete the confederation of the British provinces of North America. Our future is assured if we are only true to ourselves. The gospel of hope and not the gospel of despair is the true message to be delivered to the people of Canada to-day. Now that we have passed the infantile stage of national existence; now that we have got past the diseases to which childhood is subject, are we to falter and stand still? I think not. Politicians may talk, and pessimists may croak and growl, but above them all is heard the voice of enterprise and progress. I have faith and confidence in the children of those brave, noble-hearted men who laid the foundations of this great country broad and deep, they laid them in privation and toil and difficulties. Why cannot their children, surrounded by plenty and in the midst of peace, carry on this good work? They will do it. They are prepared to do it. They have the courage of all people who are born in such a climate as ours, a climate that has produced the men who for ages and centuries have controlled the destinies of the world. I say these men have the pluck, the energy and the determination to carry on this great work so as to make this country the pride and glory of the Empire of which we are now an honoured part. Now, hon. gentlemen, I will not detain you longer, I apologize to you for having proceeded at such length. I have hastened through because my hon. friend who is to second this motion has engagements elsewhere and wants to go away, and I always endeavour to accommodate my personal friends as far as I can. I apologize to you, as I have said before, for having detained you. I thank you most sincerely for having listened to me so long and patiently. If I have said anything that is out of the true lines of speech-making in this House, I beg to apologize.

Hon. Mr. DESJARDINS (In French)—I wish, in addressing this honourable House for the first time, to express to you my appreciation of the honour which has been accorded me, not only in appointing me a member of the first legislative body in the Dominion, but in having for associates men who occupy such prominent positions in the public life of this country. I regret the absence of our late Premier, who displayed such tact and ability at all times, and trust that he may soon be restored to health and resume his place amongst us. I feel it a privilege to follow in this honourable House a leader with whom I was associated so many years in another place. He brings to this House a mine of information and the ready eloquence which distinguished him in the other chamber. I am sure he will not lose in the Senate any of the popularity, the vigour and the energy which he displayed as a leader elsewhere. Beside the hon. leader we have in this Chamber, I am happy to say, a Minister who speaks our language. Since Confederation it was the good fortune of the province of Quebec to have in the Senate at all times until 1878 on the Treasury benches a representative of their race and language. In the Minister of Agriculture we have a gentleman who represents perfectly the aspirations of the majority in the province of Quebec, and one who will give expression to our desire that justice shall be done to the inhabitants of the Dominion, irrespective of creed or origin. The House may feel assured that these aspirations will not conflict with the rights and privileges of any portion of our people. His Excellency congratulates Parliament on the prosperous condition of the country. That prosperity is evidenced by the increased imports and exports, all showing the purchasing power of our population. This pleasant intimation of His Excellency, in his gracious speech, is confirmed by the published returns of the commerce of the country, and there is evidence on every side that the judicious policy of the Government has produced prosperity throughout the Dominion. We have evidence of the vigour and energy of the Government in their efforts to open up new markets for the products of Canada; and in securing a rapid line of steamers to ply between our ports and the ports of Great Britain and France, and also in the efforts they have made through the High Commissioner at London and our representative at Paris to obtain for Canada the advantage of the "favoured nations clause" which the mother country has made in her treaties with foreign nations. We have every reason to hope that these efforts on the part of Canada will result in opening up new markets and extending our trade relations so that we can find ready sale for the produce of our fields, our mines and our forests. His Excellency also expressed his gratification to hear that in Manitoba and the North-west Territories there has been an encouraging increased immigration and settlement. Canada has spent enormous sums of money in opening up these western territories; we have made great sacrifices to provide these territories with railway communication, and to attract to them a tide of immigration, but these generous measures on the part of the central Government have been paralyzed by the action of the local authorities in denying equal justice and equal treatment to all classes of the people. I believe I express the opinion of the vast majority in this country when I say that prosperity can only be maintained and progress promoted by doing even-handed justice to all classes of the community. Many of us who live in the eastern provinces are convinced that an injustice has been done to a certain portion of the population in Manitoba, but we believe our constitution is sufficiently elastic to enable us to remedy the injustice that has been done. It is in the interest of all classes and of all parts of the Dominion that this should be done in order to promote good-will and good feeling, and to make our country attractive to the migrating masses of Europe. My hon. friend from Niagara expressed the hope that Newfoundland would ere long become a portion of the Dominion. The population of Newfoundland sympathizes with us in our loyalty to the British flag. Certain politicians on the other side of the line endeavoured to bring about a rupture between Newfoundland and the mother country, with a view of promoting a movement for annexation, but Newfoundland preferred to remain under the British flag. The disastrous conflagration at St. John's afforded our people an opportunity of expressing their sympathy in a practical way, with the result that we have been drawn closer together, and since then communications have taken place between the Island Government and the Dominion Government, which I hope and believe will ere long bring about a union of the two countries. The Islanders would derive many benefits from the change. They would be enabled to improve their communication with Great Britain and overcome local difficulties which they find insurmountable now, but which could be removed by the united action of the whole Dominion.

The other point to which the hon. gentleman attached importance is the relations between Canada and the United States. We have in this country restless spirits who have no faith in the future of the Dominion, or the stability of our federal institutions. These people tell us that we should join the United States or that we should make independence an issue of to-day. They know very well that while Canada is a portion of the British Empire and can rely upon the mother country for protection, it is useless to talk of annexation, but unfortunately on the other side of the Atlantic these facts are not well understood, and the expressions of the few restless, discontented people here may be taken for the voice of a large element of the population. Such movements are ill-timed and ill-chosen. They produce an impression abroad that there is no stability in our institutions. We should apply ourselves to the development of our great resources. By the construction of our public works we have promoted commerce and industry, and we have proved our capacity to manage our own affairs. I believe the sentiment of our people is that we should maintain our existing institutions and do even-handed justice to all classes in the community. By this means we will ensure the prosperity of Canada, and remove anything which would produce discontent in any part of the Dominion.

Hon. Mr. SCOTT—The hon. Senator who proposed the resolution in answer to the Speech from the Throne very properly prefaced his observations to this House by paying a tribute to the Governor-General. I heartily join in the encomiums that he has passed upon that distinguished gentleman. His Excellency comes from a long line of ancestry who are intimately associated with the history of England. The Lords of Derby appear on many pages of history guiding the destinies of the greatest empire of the world. Since Lord Stanley's appointment as Governor of Canada he has, I think, discharged the duties in a constitutional manner. He has visited the people of Canada in the various provinces and has become intimately acquainted with their various conditions, has seen them in their homes, and I think we can fairly conclude that His Excellency has gained the esteem and respect of the people of this country and that when he returns, having completed his period of office, he will be able to assure Her Majesty that the Canadian people, however they may object, many of them, to the misgovernment, so to speak, for the time being of the present Cabinet, are yet loyal and true to the mother land. Speaking for the Opposition, those who are recognized, many of them, possibly as the pessimists of this country, as the hon. the mover has termed them, I think I may say that they are as sound and as loyal as the greatest Tory in the country, and I think His Excellency will feel pleasure and pride in so notifying Her Majesty when the time comes for His Excellency to lay down his term of office here. We shall all wish him a pleasant and a happy life when he returns to the old land, and it may not be improbable that His Excellency may succeed to the great House of Derby and that he may one day or other be the Earl of Derby and take the position which has been enjoyed by preceding statesmen of that great name. We at all events must feel sure that His Excellency, having gained a very intimate knowledge of this country, will give us the benefit of that information when he returns to the mother land; and here I may say that I think it would not be proper to forget the distinguished Lady who has dispensed the hospitalities of Rideau Hall. She has taken a warm and a deep interest in the people of this country and has made herself beloved all over the land. We shall, when the time comes, express our great regret at their leaving and one and all from every part of Canada will join in assuring them that they have earned the esteem and the respect of the people of this country.

The hon. the seconder of the resolution has referred to another subject that is somewhat personal, and that is the absence of Mr. Abbott. We all deeply regret the cause of it. Mr. Abbott had, in the period when he led the House, gained for himself the regard of every Senator in it. He had very great consideration, not alone for the large following which he had in this House, but also for the very small minority of the Opposition. He was exceedingly kind and considerate, and it was very pleasant also to have had interviews and communications with him, either across this Chamber or in any other way, and we hope that his temporary sojourn abroad may restore him to health, and that we may one day or another see him again among us. He may rest assured that his presence in this Chamber will always be grateful to the Senators who regard him so highly.

Now, before I proceed to make any remarks on the speech which His Excellency's advisers have provided for us, I wish to offer my congratulations to the mover and the seconder of the resolution. They are gentlemen of very considerable experience, both of them having enjoyed seats in another branch of Parliament. They are familiar with the great public questions which come before Parliament and we hope to avail ourselves of the judgment and the experience that they no doubt will be enabled to bring to the discussion of the various questions that may come before us. The hon. mover of the resolution asked for the forbearance of this House as he was a new member. This House is always glad to extend a cordial welcome and its forbearance to young members, but my hon. friend can scarcely consider himself a novice at parliamentary work, having occupied a seat in the other branch of the legislature for some considerable time, and being familiar with the various questions before Parliament. He has given us ample proof of his skill in discussing the various questions from his standpoint. I was rather surprised, indeed astonished, at the manner in which my hon. friend criticized the people of this country who were so pessimistic as to see nothing but misery, sorrow and misfortune. I cannot exactly follow him in what he says. He tells us that there is a very despondent set in this country who can see nothing good in it. I do not agree with the hon. gentleman at all; I do not think the hon. gentleman's constituents agree with him either. I think he had rather an apt illustration that the policy of the Government was not satisfactory to the people of this country at the last general election and the object lesson he received in the county of Welland ought to have been a warning to the hon. gentleman that the people of this country do not approve of the fiscal policy pursued by the Administration and that they do not regard this country as having prospered to the extent to which it ought to have prospered. The hon. gentleman is respected and beloved in his own constituency; he is universally regarded there as a man who is worthy of the highest position, and the hon. gentleman's county is one of the garden spots of Ontario, the county of Welland, one of the finest places on the globe. I question if there are many places on the face of the earth with superior attractions, and yet why was it that so many people fled from that fair county, diminishing its population between the years 1881 and 1891 by the enormous number of 1,000 persons? All the figures, statistics of life insurance companies, fire risks and all the other figures which he quoted—which I do not propose to follow—cannot take the place of the explanation which was due from the hon. gentleman of the fact that the population of that great county was reduced in the ten years by over 1,000. That is a fact that cannot be got over. It not only does not hold its own, but the people fled. Why should they flee from one of the finest pieces of land on this globe? There must be something in it. People do not get dissatisfied with their homes, do not depart from the early associations of their lives except for some grave cause. They love the old flag. A hundred years ago many of our forefathers left their comfortable farms to the south of us, left the American flag, left Mohawk Valley and the valley of the Hudson and other choice places in the United States and came north to a wilderness. They did not want for anything; they had all that. The descendants of the United Empire Loyalists are abreast of any people in the world. Then, why was it that this terrible despair went all over the land, and people fled from the most attractive sections of Canada? There must be some cause for it. Is it not our duty to find that cause, to ascertain the root of it? It cannot be accidental; it did not exist in Welland alone. In almost every other portion of Canada we find the same state of affairs. Surely this is a grand country, and the hon. gentleman has not painted the colours half brilliant enough; from my stand-point there is no place on the globe that is superior, few are even the equal of Canada. There are few countries that have its broad acres where we could feed the whole of Europe, there are few countries that have had such wealth and still have such wealth in their forest lands. Year by year you will see that our exports of products of the forest through good and bad seasons increased until they reached between twenty and thirty millions of dollars. Is there a country on the face of the globe that can compare with Canada in its fisheries, both of the Atlantic and Pacific, and not alone those two great oceans but of its huge inland waters—Lake Superior, Lake Huron, Lake Erie? And the fisheries of the great rivers of Canada; I could not enumerate them—it would take too long to do so. Our fisheries, our forests, our farms. are not to be exceeded in any part of the globe, and I may also say to you, hon. gentlemen, that our mines are second to none on this continent—the mines not alone of the east, but of the west more particularly. Recent developments show that in British Columbia the mines are quite equal to any that have been discovered either in the United States or in Mexico. Now, with all that in view, hon. gentlemen must see that there is something affecting this country, something appalling, when the population flee from it. Why do the people go away from here? Let me speak to the hon. gentlemen from the Maritime Provinces. Has their population increased more than one per cent in the last ten years? One Maritime Province has fallen back, and lost population rather than gained. Look at the two great provinces of Ontario and Quebec, whose increase of population has been but a little over nine per cent. Look at the increase of other countries where there is a natural migration also. Take England and Wales for example. We find there a population that cannot be supported on the products of those countries. They are beehives of industry that send forth the products of their labour all over the world. They necessarily lose by migration, yet England and Wales have increased in population, (taking into account the natural migration) over eleven per cent—two per cent more than the great provinces of Ontario and Quebec. I think that when that single fact is demonstrated, when those figures are given, we cannot deny that it is the duty of this House, and the duty of Parliament, to inquire honestly and fairly into the causes that lead to such extraordinary consequences. Here is a land flowing with milk and honey, that can afford homes to millions, nay hundreds of millions of people, and yet it is unable to retain its population. The people flee from it as if it were swept by a plague. What is the cause? We have not far to look to see the cause. Hon. gentlemen have alluded to the times of depression in Canada, going back to the years between 1874 and 1879, yet we find the population increased during those years seventeen per cent. The census returns show that the population increased seventeen per cent during those years of so-called depression. I say the cause is not far to discover. It is this unfortunate policy of the Government.

Hon. Mr. READ—They go to a country where the taxation is double.

Hon. Mr. SCOTT—I am speaking of the fact that they leave Canada.

Hon. Mr. MASSON—Will the hon. gentleman make a comparison between the increase of population in our provinces and in the adjoining states?

Hon. Mr. SCOTT—You ask me to give you a comparison of the increase of population between the United States and Canada. Let us compare them together and we will see. Now, I will take the province of Ontario and I will take the state of Michigan. They are under conditions very nearly similar, Michigan on the one side and Ontario on the other. In 1880 the population of Michigan was 1,636,937. It had increased in 1890 to 2,093,000. The population of Ontario in 1880 was 300,000 odd more than the state of Michigan, yet at the last census it was less than 7,000 more than the state of Michigan—that is, the state of Michigan had increased 300,000 more than the province of Ontario. Now, I will take the province of British Columbia and I will take the state of Washington.

Hon. Mr. MASSON—I am speaking of old Canada.

Hon. Mr. POWER—Why confine the comparison to old Canada?

Hon. Mr. SCOTT—I will give the hon. gentleman all the figures he wants and perhaps more than he would like, but he asked me to give him the population of those states that were bordering our country and compare the increase of population on each side of the line. That would be a fair standard to judge by. Nothing could be more simple or reasonable. Washington occupies one side of the line, British Columbia the other of the 49th parallel. British Columbia had a settlement a quarter of a century in advance of Washington. That is, there was a population there.

Hon. Mr. MACDONALD (B.C.)—That is not correct.

Hon. Mr. SCOTT—I am aware that John Jacob Astor established a fur trade there.

Hon. Mr. MACDONALD (B.C.)—Parts of Washington were settled long before there was any settlement in British Columbia.

Hon. Mr. SCOTT—I will give you the population as it was. The population of British Columbia in 1880 was 49,000. The population of Washington in the same year was 75,000. The population of British Columbia at the last census was 92,000, while the population of Washington was 349,000.

Hon. Mr. McINNES (B.C.)—The hon. gentleman has made a slight error in the figures he has given. The first return gave 92,000, but later returns made it 99,000.

Hon. Mr. SCOTT—That would give an increase in British Columbia of 50,000 and in Washington an increase of 250,000. The conditions of the two countries are very nearly similar, the quality of the land about the same and the mineral development about equal. I do not know if the mineral development is more advanced in British Columbia than in Washington. Now, I will take Manitoba. We were told that Manitoba in ten years would have at least a population of half a million. Its increase, however, has been less than 100,000, while the Dakotas immediately south of Manitoba, not certainly possessing as fine land, not certainly as attractive for settlement, not certainly possessing the many advantages that Manitoba possesses, have increased from 135,000 to 510,000. Now I think these figures are significant.

Hon. Mr. ALMON—Will the hon. gentleman give us the figures of Vermont and other eastern states and of our eastern provinces?

Hon. Mr. SCOTT—We are looking for a greater growth in the west than in the east, and it was the great west that was to build up this country. We have spent a very large sum of money in it and no doubt it is coming up rapidly to the high level that we hoped it would enjoy, but I hold that it would, under better conditions, have grown more rapidly than it has. I say that it ought to grow more rapidly. No one can deny that. I cannot be challenged as being pessimistic because I call attention to these figures. I know it is quite usual, if a man questions the policy of the Government, to put that man down as disloyal. I think it is exceedingly unfair and improper that gentlemen cannot call attention to and illustrate the position of this country by comparisons with other countries without being called disloyal. Now, as to this marvellous development and prosperity, I would like to draw attention to one or two more facts.

Hon. Mr. FERGUSON—May I ask the privilege of the hon. gentleman from Ottawa to interrupt him for a moment. If he will remember, I said that the pessimists were few in number but like the cricket made a bigger noise than many.

Hon. Mr. SCOTT—I had not the hon. gentleman in view at all when I spoke. I know it has been the fashion for Government organs and Government speakers on various platforms to denounce the Opposition as being despondent and given to crying down the country because they give true illustrations of Canada and the United States. I acquit my hon. freind entirely of any such intention and I did not have him in view when commenting on the course of other gentlemen. Now we are asked to congratulate ourselves upon an increase in trade. I desire simply to call attention to the fact that as far back as 1873, 1874 and also 1883 we were rich enough to buy a very much larger amount abroad than we were able to buy last year. The value of our imports during the last year was 127 millions in round numbers. In 1873 our imports amounted to 128 millions. Again in 1874 they amounted also to 128 millions, and in 1883 we brought as much as 132 millions worth, five millions more than last year. The export last year was no doubt large and gratifying. I wish, however, that it had been much larger and I think that if a different policy had been pursued it would have been much larger. To what was that large export due? It was due entirely to the farmers of the North-west. It was largely due to the great crops with which Manitoba and the North-west were blest last year. It is due also to the increase of two millions in the products of the forest; it is due also to the cheese industry of Ontario and Quebec, one of the great industries of this country. That is what it is due to, and although very gratifying, and I am glad to recognize that it is so, I think under other conditions it might have been very much greater than it is. I notice that our exports of manufactures have increased. I was rather curious to know in what way the exports of manufactures had increased, and on turning up the page I was surprised to find that over one million of our exports of manufactures was due to the exportation of the household effects of settlers. Over one million of the total exports was made up of the effects of settlers going to the United States. That branch of it was not a subject for congratulation. I find that during the year preceding the household effects of settlers who went to the United States was about the same figure. I do not think we can take very much credit to ourselves for having exported as manufactures the household effects of the people of Canada who have had to fly to another land. We are asked to thank His Excellency for informing us that measures have been taken to carry into effect an agreement between the United States and this country in regard to the boundary of Alaska. This boundary of Alaska is a very old subject. It crops up periodically. It was up some fifteen or twenty years ago, and at several periods since. Alaska, as hon. gentlemen probably know, is that part of the country ceded by Russia to the United States on this continent. By the treaty between Great Britain and Russia in 1825, a boundary line was established between British territory and Russian territory on the western side of this continent, and I am sorry to say that, as in the case of a great many other treaties where the lands of Canada were made the subject of treaties by plenipotentiaries from the mother country, Canada got the worst of it. If any one looks at the map he will see how very illogical it is to give away, or to consent to a foreign country occupying so much of the coast line of this continent as Russia then insisted upon occupying of our Canadian territory on the north-west. But the boundary line between the two countries was made rather a puzzle: Prince of Wales Islands (strange to say, one would have thought the very name would have saved it as a possession of the British Crown) was freely given away to Russia, and the line was then run to the head of Portland channel and by a devious crooked line to Mount Elias. It is that very devious crooked line that is now engaging the attention of the two Governments. If I had any advice to offer to the two Governments, I should say adopt a true line running straight north, wholly irrespective of the height of land mentioned in the treaty. Under the treaty the line was to follow the height of land. Where the height of land was more than ten marine leagues distant from the shore, then a line running parallel to the shore and ten leagues from it was to be followed. The mountains of course do not follow the coast in a direct line, they bend towards the shore, and they bend inland, and so the line is an exceedingly difficult one to draw. I think, therefore, that the two Governments ought to agree upon a degree of longitude, a straight line which would run north to Mount Elias.

Hon. Mr. MACDONALD (B.C.)—That has been proposed.

Hon. Mr. SCOTT—The correspondence came under my own observation many years ago, when I had to do with these questions, and that was my idea. The estimates of the cost are, for the United States portion of the work of surveying the line, $1,500,000; for our portion of the work according to General Cameron, something over a million dollars. That would be a total of at least two and a half millions spent in defining a comparatively short line. It may be that the country is worth such a great expenditure. I have no doubt it has its value, but between two sensible neighbours, the best way to settle the matter would be to fix an absolute boundary, irrespective of the height of land. I am glad to hear that a friendly conference has taken place between delegates from this Government and delegates from Newfoundland, and I sincerely hope that all causes of difficulty between the two colonies will cease. I think we ought to deal rather tenderly with Newfoundland. It is a weak and a poor sister, and Canada can afford to be generous. I did not myself approve of the policy which was adopted two years ago in reference to that colony. I need not now discuss that question; it is perhaps not germane to the matter at present under debate, and therefore I will not further allude to it, but I cannot certainly join in the hope expressed by the hon. the seconder of these resolutions, that we may round off confederation by bringing in Newfoundland. I think the confederation is already rounded off sufficiently, leaving Newfoundland out, and it would be better for both Newfoundland and Canada that the former should remain outside of the union. It is not easy to govern a country where circumstances are so dissimilar to ours as they are in Newfoundland. I think they could take much better care of themselves while remaining a separate colony than by joining the Canadian Confederation. We are asked to concur in His Excellency's regret that the Government of the United States were unable to accept the suggestions made by the Government of Canada on the subject of the canal tolls, and that the President should have thought it necessary to impose exceptional tolls. I take issue with the hon. mover of the resolution in the observations he made upon this subject. I think that anybody dispassionately looking at this subject, would have said from the beginning that the Government of Canada were entirely in the wrong. I should have said so last year, when the papers were moved for; but I felt then that if I did so, I should be accused of playing into the hands of the United States. That is the line taken to seal the mouths of gentlemen who desire to give their advice to the Government and to express their judgment on the various international questions which arise from time to time between the two countries. Hon. gentlemen are aware that the use of the canals by the two countries has its origin in the Treaty of Washington. Under the twenty-seventh article of that treaty we were to secure to the citizens of the United States the use of the Welland, St. Lawrence and other canals on terms of equality with our own people. That was what we agreed to do—that they should enjoy these canals on terms of equality. We did give them that privilege for some years, but unfortunately political influences were at work to secure some advantages for the people of Kingston, and an Order in Council was passed giving Kingston the advantage of transhipping grain to Montreal, and the grain transhipped at Montreal got a rebate of eighteen cents per ton. On all cargoes of grain coming from the west of Canada there was a charge of twenty cents per ton, and a rebate of eighteen cents was granted to vessels loading at Montreal. It is quite true that there was no discrimination against vessels, but there was discrimination against the people of the United States. We discriminated against Ogdensburgh, and in discriminating against Ogdensburgh we discriminated against the people of Ogdensburgh, and in my judgment Canada failed to observe the conditions of that portion of the Treaty of Washington relating to this question. Now, I think that in regard to treaties we ought to follow the example of the motherland. England has been exceedingly sensitive on this question of treaties with foreign powers. Wherever there was a doubt, unless in matter of very grave importance, the desire and disposition has been rather to give the case away than make a *casus belli* of it—to have no friction with a foreign country in any small or unimportant matter. Yet here we find that Canada, in order to favour a few traders, possibly not more than a dozen persons, imposed a discriminating tariff against the people of United States of eighteen cents on every ton of grain going through the canals. Our attention is called to it and what do we do? In the presence of one of the gentlemen who carried on the negotiation on our side, I do not desire in any way to increase the friction by referring to my views of the situation. As reported through United State sources it is very unfortunate that when the attention of the Government of Canada was called to it, the course that they proposed to pursue was a matter of dispute, to use the mildest term—that the statement of Mr. Blaine, whose recent death we must all regret, and of Mr. Secretary Foster, of what took place at the conference was different from that of our own ministers. However, that is entirely immaterial and I allude to it simply as showing that in the minds of the American people there was a belief that Canada was going to remove the cause for dissatisfaction that had existed for some antecedent years. Canada did not remove it last year, and the situation became graver. What the Americans say, and I think it cannot be contradicted, is that in granting a rebate of eighteen cents per ton on all the grain coming into Montreal we sinned against that particular clause of the Washington Treaty which governed the subject, in three different ways:

> (1.) In that it makes the toll on grain for export from Montreal and other Canadian ports east of Montreal two cents per ton while the toll on grain for export from American ports is twenty cents per ton: that is to say, that grain coming through the Welland Canal and shipped to Ogdensburgh would pay twenty cents per ton, while if shipped to Kingston and reshipped to Montreal it would only pay two cents per ton.

In discriminating against Ogdensburgh we surely discriminate against the people of the United States. They do not enjoy the privileges of the canals on term of equality with us if we make the grain dealers of Ogdensburgh pay eighteen cents more than Canadian dealers who carry the grain to Montreal.

> (2.) In that even the lesser rate is refused on grain for Montreal and ports east of it has been transhipped at an American port, while it is allowed if it has been transhipped at a Canadian port.

If the grain even were going to Montreal and it were transhipped at Ogdensburgh, it would still be charged twenty cents per ton, although if transhipped at Kingston the charge would only be two cents per ton, a clear discrimination. No man can defend or justify it. At all events, the thing is not worth defending. Why should we have this difficulty with the great nation to the south of us about a small matter of this kind, affecting the whole of the United States, for the benefit of a few elevator men at Kingston? It is a pity that all this friction should arise over so insignificant a matter.

> (3.) In that the two cent rate is only levied on grain from Montreal and ports east from any Canadian Lake Ontario port, while the twenty cent rate is exacted on grain for the same destination from American Lake Ontario ports.

Hon. Mr. BOWELL—Will the hon. gentleman kindly tell me what he is reading from?

Hon. Mr. SCOTT—I am reading from "The President's message on the canal question," a United States document.

Hon. Mr. BOWELL—What are the words of the treaty?

Hon. Mr. SCOTT—I will give the words of the treaty:

> The Government of Her Britannic Majesty engages to urge upon the Government of the Dominion of Canada to secure to the citizens of the United States the use of the Welland, St. Lawrence and other canals in the Dominion on term of equality with the other inhabitants of the Dominion.

The contention of our Government is this, that they discriminate only against ports—that they discriminate in favour of St. Lawrence ports to the extent of eighteen cents per ton. I say that they have no power to do so under the treaty. It is in direct violation of the terms of the treaty. No nation sensitive about its honour ought to construe treaties otherwise than fairly and liberally towards its opponent, unless in a matter of very grave importance. I say the fair and honourable course on the part of the Dominion would have been to refer the matter to the gentleman who was present when the Washington treaty was framed, to have referred it to a statesman who is now a member of Mr. Gladstone's Government—the Earl of Ripon. That would have been a very fair course. Canada might have stated the question and asked, "what is your version?" Would you consider that we were violating the terms of the treaty by taking this action? Instead of this the Canadian Government set up its own opinion. It acted in a very independent way towards the United States, and a great portion of the people of Canada choose to remain silent rather than to place this government in a position of indelicacy, but I say boldly no fair-minded man could read the twenty-seventh section of the Washington treaty and justify the course that our Government took in reference to this canal toll question. I can invoke supporters of the Government to confirm this statement. I am quite sure a very large number of men in either branch of the legislature, if asked outside of the political arena, what is your view?—do you think it was a violation on the part of Canada of the provision of the Washington Treaty?—would freely say yes, but they do not want to place the Government in the uncomfortable position of appearing to be in the wrong, and therefore defend the Government. I hold in my hand here the utterances of a pretty good authority, a gentleman editing one of the leading newspapers of this country, and one of the warmest supporters of this Government, who has always stood by them through good report and evil report. That gentleman undertakes to write an article for an independent magazine on this question. Here is what he says:

Hon. Mr. KAULBACH—Who is the writer?

Hon. Mr. SCOTT—I am now reading an article on the canal tolls question by a distinguished member of the other House, a warm supporter of the Administration. His habit has always been to speak in a direct way and from a judicial stand-point for the whole people, not alone for the people of Canada but as well for the people of the United States. He takes a fair broad view of the whole subject; let us hear what his conclusions are:

> Finally, let us briefly consider the character of the reprisals to which the United States has resorted at the Sault Ste. Marie canal, hitherto free to all vessels irrespective of nationality or destination. A toll of twenty cents per ton upon freight is levied under certain conditions. The proclamation of President Harrison imposing the tolls in accordance with the act of Congress reads: "Provided that no tolls shall be charged or collected upon freight or passengers carried to or landed at Ogdensburgh and south of a line drawn from the northern boundary of the state of New York through the St. Lawrence river, the great lakes and their connecting channels to the northern boundary of the state of Minnesota." In this way our neighbours have copied our example and rendered the occasion for complaint on our part somewhat dubious. Canada grants a rebate of tolls on all cargoes bound for Montreal or a port east of Montreal, whether the vessels be British or American. The United States grants exemption from tolls to all cargoes though the Sault canal bound to Ogdensburgh, or any American port west of Ogdensburgh, no matter what the nationality of the vessel. Just as the full tolls are exacted by Canada on all cargoes through the Welland Canal to American ports so are full tolls exacted by the United States on all cargoes through the Sault canal bound to Canadian ports. There we have what Secretary of State Foster calls "parity of conditions," and it is really somewhat difficult to discover in the conduct of the United States any justification for threats and denunciations on our part. Instead of either whining or menacing, the common sense course is to frankly admit that the Americans have merely taken a leaf out of our book; to recognize that the policy of reprisals is neither dignified nor profitable; and, conscious that two can play at the game of fence, to honestly seek to establish a large measure of reciprocity in the carrying trades.

Hon. Mr. BOWELL—Who is the gentleman?

Hon. Mr. SCOTT—Mr. White, of Cardwell. I will now read from an official source the proclamation of President Harrison under which the twenty cent toll was levied, and I think it is about as diplomatic a paper as I have ever read; I think he took the language of our Order in Council and just applied it under the same conditions.

Hon. Mr. BOWELL—No.

Hon. Mr. SCOTT—He says, after reciting the fact that we were discriminating by giving rebates of eighteen cents per ton on all grain passing through the Welland Canal destined for Montreal:

> Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the power to that end conferred upon me by said Act of Congress, approved July 26th, 1892, do hereby direct that from and after September 1, 1892, until further notice, a toll of twenty cents per ton be collected, levied and paid on all freight of whatever kind or description passing through the St. Mary's Falls Canal in transit to any port of the Dominion of Canada, whether carried in vessels of the United States or of other nations; and to that extent I do hereby suspend, from and after said date, the right of free passage through said St. Mary's Falls Canal of any and all cargoes or portions of cargoes in transit to Canadian ports.

Now, I think I have proved very successfully, from the writings of a distinguished supporter of the Government, who probably in the other House may have justified their course from a political stand-point—I have proved from his own language what his opinion was; it corresponds with my own. I thought all along, and I think now that we did make a great mistake in spending so many millions on building a Sault canal on our side. I think that the sensible course for two neighbours was to abide firmly and liberally by the treaty of Washington, and enlarge it from time to time as no doubt friendly relations would enable us to do. We pass through the Sault Canal on the United States side a very small fraction, not quite three per cent of the whole traffic. So it was a comparatively small amount. Our vessels passed through that canal not as American vessels pass through the Welland Canal paying a toll—they passed through the Sault Canal paying nothing. Our vessels came through in their turn; they never were put to any disadvantage. I have passed and re-passed many a time myself up and down this canal, and I know whereof I speak. The American officials took all the trouble, supplied the lights, and rendered assistance in every possible way, and not a farthing was ever charged, and remember the Sault Canal was not among the canals that were mentioned in the Treaty of Washington. The United States had not at that time acquired the Sault Canal; it was the private property of the state of Michigan. The United States some years afterwards acquired the canal and spent large sums on it and threw it open to Canada, as it was their duty to do, but it is something in our days for a nation to do its duty. So we continue to enjoy it and I think that it was wholly unnecessary expense that we should go to in connection with the new canal. It amounted to a menace to the United States; it was tantamount to saying that we should be independent of them, that we did not propose to be dependent on them. I say neither the United States nor Canada can take that position; I say they are both in a degree dependent on each other. They occupy contiguous territory for 4,000 miles, and we have in common, water ways of great extent, very much more than is the case in any other countries in the world, and it is our interest, as well as our duty, to preserve amicable relations. They are people akin to us in race, language and laws. Do you for a moment believe that if the administration of these matters had been in the hands of British statesmen that this condition of affairs would have arisen? Would they have allowed this petty collision to occur on a comparatively insignificant matter? The heads of this Government did not choose to come down from their high pedestal, and acknowledge that they were in the wrong, when over and over again we were told by the United States, "cease your discrimination; abide by what you assured us you would do when you met us at Washington last, or we shall impose a tax on your grain and cargoes going through the Sault Canal." What was our position? We took the high and mighty course; we snapped our fingers at them and said "you may do as you please, we will be independent; we can afford to pay the tax to the United States Government," and therefore we occupy this ridiculous position, that we paid thirty or forty thousand dollars from September last to the close of the season to swell the treasury at Washington, simply because our pride would not allow us to admit that we had made a gross error. In the interpretation of treaties, it is the duty of all high-minded, honourable people to be liberal, and if we followed the course pursued by British statesmen, we would have admitted that we were wrong; we would have apologized and occupied a much stronger position to-day than we now hold. I have no doubt the Government will remove the discrimination before this season begins. They do not propose to go on, I trust, in the foolish course of continuing to pay tribute to the United States treasury when it is wholly unnecessary. All they have to do is to say: "We will go back to the treaty and abide by it." I would have spoken last year, but had hoped from day to day—we know that the Order in Council hung fire for considerable time—that the Canadian Government would have acquiesced in the very proper suggestion from Washington that they were transgressing an article of the treaty and requesting them to withdraw the Order in Council under which the discriminating tolls were enforced; but it is all of a piece with the mode of carrying on the government in this country—it is carried on for individuals and not for the masses. The hon. gentleman who introduced these resolutions pointed to the millionaires on the other side of the line. Have we made no millionaires in the last fifteen years? Has not the disparity between wealth and poverty been more marked in the last ten years than in any former period in the history of this country? I say it has. It would be a matter of indelicacy to name individuals who have grown rich on the subsidies that the people of the country have been obliged, under Act of Parliament, to pay to the favoured few. Millionaires have been created in this land, too, and the money they have got has been taken from the great body of the people, where it fairly and properly belonged. I desire to call the attention of the House, as illustrating in some degree the line of action we have adopted towards the United States, to the question of wrecking. As far back as 1878, at the time of the change of government in this country, Congress placed on record a statute in which they offered to Canadian tugs the right to give assistance to American as well as Canadian vessels in United States waters, provided Canada did the same. Here was a very fair offer. Of all questions for reciprocity, surely that of rendering assistance to vessels in distress was the most reasonable and natural one, which ought to be first taken up by an intelligent and friendly people, yet year by year went by, and one cause or another has prevented the Canadian Government from acquiescing in the proposals from the United States. The pressure became so great, that in 1888 a leading gentleman belonging to the Conservative party—it was useless for anybody else to propose such a thing—the member for Frontenac, now Lieutenant-Governor of Ontario, brought in a bill authorizing the Government to issue a proclamation placing the wrecking question on both sides on a reciprocal basis. The Opposition, with one or two exceptions, supported the measure. However, the hon. gentleman who had charge of the bill was unable to divorce from the Government following a sufficient number to carry the bill with the assistance of the Opposition. The following year the bill was introduced again, and the next year as well. In 1891 they did succeed in getting it through the House of Commons and it came to this Chamber. I am sorry to say that the Senate failed to respond to the advanced public opinion of this country, which considered the subject of wrecking was one that should be put on a reciprocal basis. I will not go now into the object lessons which were given on that occasion, pointing out the serious injury and difficulty caused by the absence of such a law, but I again express my regret, as I did when the bill was before this chamber, that this House did not respond to the advance of public opinion on this question. And for whom, pray, were we keeping up these laws that were certainly not in harmony with the spirit of this age? Not probably more than five persons were interested in tugs, but for the sake of less than half a dozen persons, Canada had to be placed year after year at this great disadvantage of refusing the olive branch held out by the people of the United States. In 1892 the Government did take it up. My hon. friend, the leader of this House, gave it his assistance, and with that aid it went through without any difficulty. I do not think there was a vote on it. The measure came to this chamber and although this is purely a non-political House, when it was supported by the Government, its chances, as the sequel proved, were very much better than when it was an independent measure. The moment the Government lent its aid the bill went through. We were in hopes that a joint proclamation would issue on both sides and that wrecking would be made mutual. In the issuing of the proclamation on the other side, however, the President named in connection with the waters open to the tugs of both countries the various canals. Very naturally he regarded the canals as part of the waterways. Although there would seem to be very little probability of accidents happening to vessels on them, yet our Government, with the short-sighted policy they seem to pursue, carped at the language of the proclamation and declined to accept it, saying it was a departure from what was intended and they did not propose that there should be any reciprocal aid given to vessels in distress on the canals. They did not say that it was improbable that there would be many cases of that kind and for that reason the matter should have been passed by. It is unlikely that vessels will be wrecked in the canals, but if they should be, surely if we are acting in a spirit of friendliness to an adjoining nation, we ought not to carp at so insignificant a point as that the wrecking privileges in question were not contemplated on our side to apply to the canals. There the matter stands to-day. I suppose there is influence at work somewhere or other to keep it back in order that one or two Canadian tugs may enjoy for another season an advantage, and that Canadian vessel owners shall be obliged to seek our favoured tugs for assistance. It is just of a piece with the whole policy of this country. The next paragraph in the Address asks us to respectfully thank His Excellency "for informing us that measures will be laid before us for the improvement of the Franchise Act." Well, I am glad to find that the

Government, even at this late day, are alive to the fact that the Franchise Act needs amendment. In my judgment it needs sweeping away. If it had not been for the Franchise Act and the fiscal policy of the Government, my hon. friend from Welland would not have had to make the observations that he did in the introductory part of his speech to-day. We all must recognize that there is a spirit of unrest in this country—that, although the great bulk of the population, nine-tenths of the people, are loyal to the Crown, yet there is an element that is outspoken in opposition. The causes that create that spirit, I will not say of disloyalty, but of dissatisfaction, with the existing conditions which is illustrated by the flight of so many thousands of persons from this favoured land, all has its origin in the Franchise Act, the fiscal policy, and just such kinds of legislation. Give the people fair-play in the election of their representatives, and they will cure all the rest. When recently the Republican party in the United States, who occupy very much the position of the Tory party in Canada, who regard themselves as the natural owners of the country, and as having the right to control its destinies, and as the born legislators of the country—when the Republican party sought by an act of Congress to become a permanent fixture in the controlling influence of that great country by means of the Force Bill,—when they sought to take possession of the electoral franchise of the United States, the people rose in their might and told Congress "we will never submit to it: we have had a rebellion in the south about the slaves, we will have no rebellion about the Force Bill." Not only the south but the people of other parts of the Republic rose in their manhood and said: "It is true the Republican party may carry that in Congress, but they cannot carry it if they appeal to the country—there will be a disruption if they do." Had the electorate, when the Conservative party in this country robbed them of their franchise, risen in their might, our people to-day would be more contented. You cannot point to any other democratic form of government where there has been so large an infraction of the rights of the people as in Canada. The Government have taken possession, I say, of the representation of the people. They first appoint an officer who says who shall be put on the voters' lists. He is their own creature, selected by themselves. Having obtained the lists, what is done? Do they trust them to be examined in their own counties? No, they bring the lists to Ottawa, to the Printing Bureau, and print them under their own direction. I may be told that I must not make charges. Do you think you can gag the people of Canada by any such remarks, when they know and have proof of so many dishonest things in connection with the representation of the people? I say the Government should place itself beyond suspicion. I do not mean to make any charge, but the Government cannot be surprised that charges of that character are made when we know the lengths to which they go in order to secure the return of their own candidates. Having framed the lists, having carved out constituencies as they have done every ten years to suit their own people, they appoint the returning officers, and so practically what is known in the United States as the Force Bill has been in existence in the Dominion, and that is the cause of the unrest and the dissatisfaction, and the reason why so many people are threatening to leave this country, and why so many have left the Dominion—because they think the Government have seized on the rights of the people and have taken control, in a tyrannical or arbitrary way, of the representation of the people in Parliament. The Government dare not trust the people. Surely, if they enjoyed the confidence of the majority in this country, they need not fear to let the people of the various localities make their own lists. Are the Conservatives in the electoral divisions not equally as intelligent, on the alert and keen for success as are their neighbours, the Reformers? They are on the same parallel, only the Conservatives have friends at court, and the Reformers have not. If you want to secure peace and good feeling in this country, you have to put the representation of the people on a more just, fair and equitable basis than it is. Do that, and in my humble judgment you will remove one of the great causes of dissatisfaction and stop the exodus. You will find in the next ten years our population will have grown—that we will have attracted population from the other side of the line. As I said before, Canada is a grand country, it has a magnificent North-west, and it is our duty to take care of it and to hand it down to posterity as we received it from those who preceded us. If we pursue a fair, just and reasonable policy, one for the benefit of the masses and not for the benefit of the classes, we need not employ agents abroad in the various parts of Europe to hunt up settlers for our North-west Territory. We need not pay a *per capita* allowance for those who come over to seek homes here. We will attract population without any such things and sufficient people will settle in our country to develop its resources. Do that, and you will receive the gratitude of the people and there will be no more dissatisfaction or distrust of the Government in this country and the exodus to the United States will cease.

Hon. Mr. BOWELL—I propose to follow in this House the course that is generally pursued in the other chamber—that is, after the mover and seconder of the address have delivered their speeches and the leader of the Opposition has spoken, the leader of the Government always replies. Of course I am not well acquainted with the procedure of the Senate, but I have no objection, personally, to wait and hear the whole discussion if the House prefer it. At this hour, and it having been intimated to me that a number of gentlemen have engagements to-night and do not wish to return after six o'clock, I am willing to move the adjournment of the debate. If, however, it is the desire of the House that the discussion should go on, I shall be very glad to answer my hon. friend from Ottawa. I would say this, however, before sitting down; when I entered this House I was cautioned that I must pursue a different course here from that which is generally adopted in the other House—that is, that I must not indulge too freely in political discussions. Although the hon. gentleman from Ottawa intimated that the Senate is not a political body, after listening to him I began to think that I was mistaken and I believe that the field is as wide, in the Senate of Canada, for the discussion of the great questions that are before the people and the fiscal and other policies of the Government, as in the House of Commons, and that they may be dealt with as freely and frankly here as in the other branch of the legislature. The hon. gentleman will excuse me, if, when I have the honour of replying to his remarks, I deal with them in very much the same spirit that he dealt with them to-day; and I am very much inclined to think that he will be apt to say of me what I shall not in any spirit of disrespect attribute to him—that I am just about as much a partisan as he is. However, apart from that, permit me, before I sit down, to reciprocate to the fullest possible extent the remarks that have been made by the seconder of the resolution and the leader of the Opposition—that is, my deep regret personally, and very much more politically, of the causes which have led to my occupying the position that I do to-day. I deeply regret with them, as I am sure every member of both Houses does, and I think I may safely say the people of Canada—the cause which led to the resignation of the late Premier and leader of this House. I do hope that he may return to Canada with renewed vigour and better health; and that we may have the pleasure of seeing him again in this House taking a prominent part in public affairs. Whatever my course here may be, I shall endeavour to emulate, as far as I possibly can, those qualities to which the leader of the Opposition has referred; that is, to endeavour to be courteous to all members, no matter whether their political complexion is the same as mine or not. Having said this much, I shall, with your permission, move the adjournment of the debate until to-morrow.

The motion was agreed to.

The Senate adjourned at 5.40 p.m.

THE SENATE.

Ottawa, Tuesday, January 31st, 1893.

THE SPEAKER took the Chair at 3 o'clock.

Prayers.

THE ADDRESS.

THE DEBATE CONTINUED.

The Order of the Day being read:

Resuming the adjourned Debate on the consideration of His Excellency the Governor-General's Speech, on the opening of the Third Session of the Seventh Parliament.

Hon. Mr. BOWELL said:—I confess, notwithstanding the fact that I am somewhat of an old parliamentarian, having occupied a seat in the other House for over 25 years, that I feel a delicacy in rising to address the Senate on this occasion. Knowing that I am following a gentleman whose intellectual ability, and whose position in the country as one of our most eminent lawyers, and a former leader of this House, makes him eminently above and beyond me in eloquence and ability, I therefore feel somewhat diffident in attempting to fill the place he so worthily occupied in this House. Notwithstanding that, I have learned during my political career that whatever position in life I might be called to fill, I should attempt to do my duty to my country first and to myself afterwards. I have to congratulate, and I do so sincerely, the mover and seconder of the Address on the ability which they displayed in dealing with the questions now before the country. The mover presented to the House many facts, which were not only interesting to those who listened to him, but will be instructive to those who read them in the public press. My own impression is that those facts were of a character which deserved much more consideration, and that too of a favourable nature, than they received from the hon. gentleman who replied and who holds the position of leader of the Opposition in this Chamber. It seems to me that the hon. member from Welland, quoting as he did from the foremost statisticians of the world, and drawing his deductions from the figures which are presented to the country through the medium of the Trade and Navigation Reports, might at least have had his remarks accepted as carrying with them that weight which such statistics should carry and not have been treated in the flippant manner in which they were, with mere formal generalities such as we read every day in the smallest village newspaper in the country. I say this with all respect to the gentleman whom I am following, but I cannot help thinking that in a body like this, in dealing with great questions of state and the position of the country, we should try and draw our conclusions from facts as they are presented to us rather than repeat the stale platitudes which we hear and read every day in the week. I am also inclined to think that the hon. gentleman opposite, in his references to the remarks made by the hon. Senator from Welland regarding what he termed the pessimistic ideas of politicians and others in Canada, would have done better had he dealt with the real questions at issue rather than to fall back upon the ground that the hon. Senator from Welland had attacked the loyalty of the party which the hon. gentleman opposite so worthily leads in the Senate. I was delighted to hear from the hon. gentleman that the party which he leads, and to which he belongs, is not disloyal. No one, I think, said that it was. But to say that there are disloyal men in that party, to say that there are men connected with that party who have proved themselves traitors, is not to accuse the whole party of being traitors. I was pleased also to hear him say that nearly the whole of his party were as loyal as the most loyal Tory in the country. Well, if that is so, Canada is safe for some time to come against any progress towards the annexation of this country to the neighbouring Republic. The hon. gentleman was following in the footsteps of his Ontario leader, when the latter stated, at the Board of Trade banquet the other day, that he knew of but one man who avowed himself in favour of annexation to the United States, and that he was very glad to know that that one did not belong to the Liberal party. I have a distinct recollection, and I have no doubt the hon. gentleman to whom I refer, the Premier of Ontario, also remembers, that when he occupied a seat in the old Parliament of Canada there was a gentleman who represented the then town of Brockville, who uttered the same sentiments in the old Parliament of Canada that had been uttered by the local member for Essex, and I am glad to know that he did not belong to the Conservative party. I am also reminded, and must be led to the conclusion—and I presume the House and the country must also come to the conclusion—that the hon. leader of the Opposition is in unison with the Premier of Ontario, and that he is not in unison with and has no belief in the sentiments uttered by a late editor of the leading paper which is supposed to echo—nay, not only echo, but utter the sentiments of gentlemen opposite. It will be remembered that the writer of the famous letter to Mr. Hitt of the United States, told the people of that country that every man of the party with which he was connected, and for whom he was writing in a leading newspaper of this country, preferred annexation when he preached commercial union, and that the party to which he belonged was virtually wearing a mask. If the hon. gentleman's statement which he gave us yesterday is to be accepted we must take it as the expression of a sentiment coming from an individual, and not from the party. The writer to whom I refer said further, that "we"—the Liberal party—"had better make for annexation at once instead of making two bites on the cherry." Now, it is gratifying to know——

Hon. Mr. SCOTT—The paper never endorsed these views of Mr. Wiman's. Mr. Wiman was never editor of the *Globe.*

Hon. Mr. BOWELL—I am not aware that I mentioned Mr. Wiman's name. I regret that the hon. gentleman's comprehension and knowledge of political affairs of this country did not suggest to him that I was referring to the late editor of the *Globe.*

Hon. Mr. SCOTT—Mr. Farrer was ejected from the *Globe,* perhaps for that very reason. Mr. Wiman has been a contributor of the *Globe* for many years.

Hon. Mr. BOWELL—I am glad to learn the fact that he is a secret editor of the *Globe.* This country has never before been informed of that important fact.

Hon. Mr. SCOTT—The hon. gentleman has no right to misunderstand me. I stated that Mr. Wiman occasionally contributed to the *Globe.* He always wrote over his own name. That fact did not make the *Globe* or the party responsible for his views. I do not propose that the hon. gentleman shall misrepresent me in this manner.

Hon. Mr. BOWELL—Neither do I propose that the hon. gentleman shall interrupt me in such a manner or put me off the line of my argument, nor do I propose that he shall draw a herring across the track to put me out. Mr. Wiman, who is living in another country, may have uttered the sentiments to which he has referred and I might also hold the hon. gentleman responsible for Mr. Wiman's opinions, he being in accord with the sentiments which have been uttered by Mr. Wiman in favour of commercial union or unrestricted reciprocity, either of which, to my mind, mean nothing more or less than annexation to the United States. I wish the hon. gentleman to bear in mind that I have no desire to misrepresent him. I have no desire to do so, nor do I propose to let him, if I can prevent it, say that I wilfully misrepresent him. I repudiate it: I have no desire or intention to do so. I was referring to Mr. Farrer. The hon. gentleman says Mr. Farrer was ejected from the *Globe.* When was he sent from the *Globe?* It is only a few months ago. He was retained on the staff of the *Globe* for about two years, after it was proved he wrote letters to leading statesmen of the United States pointing out to them how they could strike the most fatal blow at Canada, he was not repudiated by the *Globe.*

Hon. Mr. SCOTT—The *Globe* is not the organ of the Liberal party, and I am not responsible for its opinions.

Hon. Mr. BOWELL—I am very glad to hear the hon. gentleman say so.

Hon. Mr. SCOTT—The *Globe* does not profess to be the organ of the Liberal party.

Hon. Mr. BOWELL—We have another "revelation" here to-day, and that too from the leader of the Opposition, to the effect that the *Globe,* the Toronto *Globe*—the *Globe* that was instituted and established by the late Peter Brown, and conducted with so much ability by a member afterwards of this House, the late Hon. George Brown, and since by a combination of the party, under the control of the party, and under the pay of Sir Richard Cartwright, Mr. Edgar and others, is not the organ of the Liberal party. If the *Globe* does not utter the sentiments of the Liberal party, it is a great pity that they did not, when they met in convocation, repudiate the *Globe.* I tell the hon. gentleman that neither he nor the party to which he belongs dare repudiate the *Globe* in the province of Ontario, or say that it does not utter the sentiments of the party with which he is at present connected.

Hon. Mr. SCOTT—Not always.

Hon. Mr. BOWELL.—My hon. friend says "not always." I do not pretend to say that any newspaper utters the sentiments or expresses the opinions in every particular of each individual member of the party to which he belongs or which he leads. Human nature is not so constituted that that is possible, and the mere attempt to hide the fact that the *Globe* is the leading organ of the party, and that he with others is not responsible for its utterances, will hardly succeed. I had no desire to occupy so much time upon this point, nor should I have done so if the hon. gentleman had not interrupted me.

Hon. Mr. POWER.—There is plenty of time.

Hon. Mr. BOWELL—The hon. gentleman says there is plenty of time. With your permission, then, I will occupy it. Perhaps if the hon. leader of the Opposition continues his interruptions when I do not say that which strictly merits his approval, I shall occupy more time than I had intended. I listened to the speech of the hon. gentleman yesterday for three-quarters of an hour, and I do not think I felt any more pleased at his utterances than he is just now at mine, but I had sufficient courtesy not to interrupt him or interfere with the course of his remarks, reserving to myself, as a member of this House, the right to reply if not in the same spirit, at least in as forcible a manner as I could command. The hon. gentleman rather ungraciously referred to the defeat of my hon. friend from Welland, and gave that as evidence of the fact that the fiscal policy of the country was not what it should be. If he had been as fair as I think he should have been, he would have told this House the means by which that hon. gentleman was defeated. He might have informed the House that the gentleman who defeated him had been disqualified by the courts of his country for seven long years, not only for the bribery of his friends, but for his own personal bribery; and that he carried his case to the Supreme Court—the highest court in the Dominion of Canada—where the decision of the lower courts was confirmed. Those "human devices" which the hon. gentleman knows so well are used by his party in elections were the principal means by which the hon. gentleman from Welland was defeated. I know also from the position that I held at the time, that of Minister of Customs, that large petitions flooded the department asking for the reimposition of the duties upon fruit and the products of that particular section of Canada, and when they were reimposed in accordance with their wishes—believing as the Government did at the time that it was the desire of the south-western peninsula of Ontario, the fruit-growing section of the country, the duties should be reimposed in order that their markets might not be destroyed by the influx of earlier fruits and by the surplus of the United States—they, like many of the party to which they belong, as soon as an election arose, showed their appreciation by voting against the gentleman who had been successful in having their request complied with. He might also have told the people that after they had lost the means by which they carried many constituencies in the general election, the people, in the by-elections not only reaffirmed the confidence which they had in the Government of the day and in its policy, but they returned, after a number of Liberal members had been unseated, a sufficient number to the Commons of Canada to give the Government as they have to-day, a majority of 70 instead of 29 or 30 at the termination of the general elections. Does the hon. gentleman desire figures in order to show that the statements I make are correct? If he does he will find the Conservative majorities have been increased in the by-elections, as the following statement shows:—

	1891.	1892.
North Lanark............	301	431
Glengarry................	321	374
Laval, Que...............	534	Accl.
Halton...................	104	144
East Middlesex...........	154	483
South Victoria...........	25	251
Prince Edward............	39	212
East Elgin...............	46	598
Quebec West..............	53	389
Two Mountains............	287	555
Richmond, N.S............	102	310
Montcalm.................	170	330
Brome....................	1	Accl.

The above are a few of the constituencies which the Conservatives held, and the following seats were won from the Liberals, and the figures show the revulsion of feeling on the part of the electorate:

	Grit maj. 1891.	Con. maj. 1892.
Lennox...................	57	31
East Bruce...............	114	13
North Victoria...........	502	240
Soulanges................	39	118
Vaudreuil................	98	35
South Perth..............	177	18
Montmorency..............	50	Accl.
East Hastings............	54	423
South Ontario............	33	157
East Simcoe..............	207	15
West Huron...............	379	25
Monck....................	260	327
West Northumberland.....	37	55

Is this not evidence that after mature deliberation, after a calm consideration of what is called the national policy and the action of the Government in the past, in reference to the whole policy of this country, the people of Canada not only reaffirmed the opinions which they had formerly expressed, but increased their majorities in every single constituency? Soulanges, which had formerly a Liberal majority of 39, was subsequently carried by the Conservatives by 118.

Hon. Mr. POWER—Carried by the canal.

Hon. Mr. BOWELL—Carried by the votes of the people. My hon. friend suggests that it was carried by the canal. There is no water in the canal yet, so that it could not carry anything, as it is not navigable. I hope it may be at no very distant date when that canal will be in such a shape as to place us in precisely the position that the leader of the Opposition intimated to the House that we had very improperly told the people of the United States we wanted to be totally independent of them.

The hon. gentleman referred to the question of the exodus in this country, and he told us that there must be something appalling in the policy of the Government. He said that the people were fleeing away from the country as if from a plague. I think there is an explanation why the hon. gentleman's party occupy the ground they do to-day in this country—that is, the hopeless minority in which they are placed. The people have been led to believe, by just such speeches as were made in the Senate yesterday by the hon. member, and such as perhaps we may hear again, not only in Ontario but in other sections of the Dominion, that the country was going to decay and ruin; while the plague from which they really flew was such utterances as the hon. gentleman addressed to us yesterday. The hon. gentleman also drew a comparison between the progress made by the state of Michigan and the state of Washington, and our own country. It was convenient to him to refer almost exclusively to those two states of the Union as against the Dominion.

Hon. Mr. SCOTT—Michigan as against British Columbia.

Hon. Mr. BOWELL—A very pertinent question was asked by the hon. gentleman on my left, when he asked the hon. member to compare other sections of the United States with adjoining parts of Canada. That, however, was not convenient to the hon. gentleman opposite, and consequently he slid away to the Pacific coast and compared Washington with British Columbia.

Hon. Mr. SCOTT—I compared Dakota with Manitoba.

Hon. Mr. BOWELL—And Dakota also, from which territory, I am very glad to know, thousands who have been misled in the past by just such utterances as we have heard here are flocking back into our own country, into the North-west and Manitoba, as rapidly as they can. In connection with this I am reminded of a statement which I have in my hand, obtained from the Minister of Interior, in which he gives the figures showing that during the past year over 14,000 have gone into the North-west and Manitoba, and a large proportion of these have been people who were misled by the utterances of certain parties in this country to move to Dakota and who are now glad to get back into Canada, where they can live and prosper better than in the United States. Had the hon. gentleman referred to Maine, Vermont and a number of other states——

Hon. Mr. SCOTT—And Massachusetts.

Hon. Mr. BOWELL—If he had compared those states with Canada the figures would not have been quite so suitable for his purpose. American statistics prove beyond a doubt that the depreciation of the value of land, and the number of mortgages in some of those eastern states are much greater than in Canada. The mortgage indebtedness is much greater than in any portion of Canada. This is proved by the late census beyond a peradventure. They have steadily decreased in population, while the province of Quebec, which has been looked upon as a standstill province, has rapidly increased, and if hon. gentlemen want a few facts in connection with this statement, I will give them. I find by some figures which have been placed in my hands that the decrease in the rural sections of those eastern states is about as follows—I am speaking now of the census of 1892. Here is the result of the census in the following states and rural districts :

—	Rural.		Counties.
	Decrease.	Increase.	Decr'se.
	1892.		
Massachusetts ..	67,034	....	
Maine	19,486	....	7
New York State	146,963 20,271	....	21
Ohio...........	21,206	....	28
Illinois.........	12,001	....	30
Vermont.......	12,264	....	8
Maryland.......	17,049	....	9
Rhode Island...	....	248	
Indiana.........	....	34,216	25
Michigan.	....	187,260	15
Iowa.......... .	....	....	27
Kansas.........	....	....	11
Kentucky. ..	....	....	27
Tennessee	....	....	22
Mississippi.....	....	....	17
Texas..........	....	....	16
Virginia........	....	....	35

Hon. Mr. SCOTT—They move from one part of the country to another. I did not give the exodus from the rural parts. I gave it from the whole territory. The hon. gentleman is misrepresenting me.

Hon. Mr. BOWELL—I object to being accused of pursuing the line of argument which was adopted by the hon. gentleman yesterday.

Hon. Mr. SCOTT—I have misled nobody. I did not misquote them. The hon. gentleman is quoting figures referring to the rural parts and applying them in contradiction of my statement relating to a whole state.

Hon. Mr. BOWELL—Did I not tell the House what was the character of the statement? I am inclined to think hon. gentlemen of this House are just as capable of understanding me as the hon. gentleman opposite, and if I make any improper deductions from his remarks they will be able to appreciate them. Passing from these eastern states to Washington Territory, the hon. gentleman's arguments or statements were as delusive as were the arguments which he applied to the eastern states; for this reason—when he told the House that British Columbia had been settled for a number of years, every man in this House knows, every schoolboy in the country knows, that for years and years, for scores of years, that country was known to the outside world merely as a fur country, occupied by the Hudson Bay Company ; and subsequently, after the discovery of gold, by a mining population. Every one knows that it was in such a geographical position that it was impossible to reach it except by the overland route or by Cape Horn and the Pacific in less than five or six months' travel. Does the House need to be told this? Yet we are told that the state of Washington, lying to the south of it, in close proximity to Oregon and California, that had been flooded with immigrants for years before, has shown a greater increase than British Columbia. It was just so in reference to Dakota, Minnesota and Michigan, and many of those states which had been accessible by railway for fifteen years before there was any means or possible way of reaching Manitoba, the North-west country or British Columbia, except by the route indicated above, for it is only within the last five or six years, since the construction of the Canadian Pacific Railway, that the great resources of those countries are beginning to develop. I think I may safely predict that in less than ten years a marvellous increase, not only of the population of this country but in the development of the mineral resources of British Columbia will have taken place, and I look forward with pride, as a Canadian, to the rapid development of that great west. We know it would be in the same state of isolation to-day that it was fifty years ago, if the hon. gentleman who leads the Opposition in this House and his followers had been conducting the Government of this country. Why, the great Canadian Pacific Railway would never have been constructed. We have been condemned for the manner in which we prosecuted that project, but the time has arrived when in this, as in other matters, we find that gentlemen who formerly opposed the expenditure in connection with that great enterprise, and who predicted the destruction of the credit of this country, are now most ardent admirers of it, for reasons best known to themselves. I believe the same result will flow from the completion of our great canal system that has followed from the construction of that and other railways which are developing the resources of this country at a rate of which every Canadian ought to be, if he is not, proud. In addition to that, the hon. gentleman, with a fairness which he has accused me of not possessing, referred to the Trade and Navigation Returns as evidence of the exodus from this country of its inhabitants. He turned to the return with a great deal of gusto—I do not use that word disrespectfully —with a good deal of pleasure, and he pointed out that in the articles of export there were settlers' effects to the amount of over a million dollars ; from that fact he drew a most doleful picture of the condition of the country. He told the House that there was $1,110,854 worth of household effects exported during the last year. The moving backwards and forwards to all sections of the country has been going on continuously ever since I was a boy, and as long as the Anglo-Saxon race exists that will continue. Look at the present moment at the islands in the Pacific Ocean. Who are the people that are developing the resources of those islands? Who is governing them? The people of the United States and the people of our own Canada. The watchword has been, and will continue to be, "westward," and if you apply the same argument and the same logic, if I may misapply the word in connection with statements of this kind, that has been used in explanation of the exodus from Canada, you would have emptied the United States. I might call the hon. gentleman's attention to page 332 of the imports and he will find that in this, as in all the other branches of trade—if I may call such exports and imports a branch of trade—that the household effects which were imported into Canada last year exceeded the exports by nearly half a million dollars. I have no doubt that was a matter of very great regret to the hon. gentleman.

Hon. Mr. SCOTT—No.

Hon. Mr. BOWELL—Well, if it were not a matter of regret why did he not tell the House that while they had been exporting household effects which represented, as he says, an exodus of the people from this country, that the importation by immigrants coming into Canada was much greater than the exports? If he desired to be fair—if he did not desire to misrepresent—if he did not desire to lead the people of this country to believe that the policy of the Government was to drive all the people out of the country, he would have told them this side of the question as well as the other one. From the United States alone, the importation of household effects for the same year amounted to $1,651,972, so that in this particular, small though it may be, it is another evidence—I will not say of a desire, but an evidence—of the manner in which the people of Canada are misled in reference to almost every matter affecting the country. Having dealt with this horrid exodus and the plague which exists in this country in the way of our state policy, the hon. gentleman drifted into the Trade and Navigation Returns and attempted to draw conclusions from them which very few will be enabled to draw from the facts and figures there presented. The hon. gentleman took the Trade and Navigation Returns and holding them up to the gaze of the members of the Senate read the figures for two or three years, picking out one year here and another year there, and then saying, "see what was done during these periods." I have noticed in almost all discussions upon the same question that those who oppose the present policy do not take the average of any four or five years and see what the result was. If you take these very years to which the hon. gentleman from Ottawa refers, you will find that in 1874—and that is when the hon. gentleman had the honour of being one of the advisers of Her Majesty in this country—the total exports amounted to $89,351,927 ; but when they left office in 1879—I am taking the year after the hon. gentleman and his party assumed the control of affairs in this country, and the year after they left office, because the policy of the present Government could not by any possibility have had any effect at all until about 1880, 1881 and 1882 ; hence I take the year 1879. When his party left office the total exports had fallen to $71,491,000, a decline of no less than $17,860,703 ; yet the hon. gentleman tells us that if another policy had been pursued the exports and imports of this country would have been much greater than they were in 1892. How was it with the importations? When the hon. gentleman and his party assumed office the importations were $128,213,582. When they left they had dropped to $81,964,427, a falling off to the extent of $46,249,155 within those five years of Liberal rule, with that policy that they are now holding out to the gaze of the rising generation of Canada, in full force. Compare it with the present year, and take the whole aggregate of trade, and we find that while they held office the aggregate during that period was $217,565,510. When they left office the aggregate was $153,455,682, a falling off to the extent of $64,109,828; so that you may take the whole trade of the country and you will find that the statements I have made will bear out all and more than we have claimed, and more than the party to which I belong have claimed for it. Look at the trade so far as it affects the farming industry—represented by a large class of people who have been lately taken under the special care and guardianship of certain hon. gentlemen—and what does it show? The exportation of farm products to Great Britain in 1891 was $24,264,272 and last year it amounted to no less than $36,091,589, an increase of $11,827,367. It is true that the hon. the leader of the Opposition yesterday stated, when he referred to the increase of trade last year, that it was the result of the large output of the North-west and the farming community. If the farming community in this country has so progressed in the production of cereals, animals and other products of the farm that they had nearly twelve millions more to export in 1892 than the year before, it certainly is not an evidence of their deterioration either in skill nor industry, or that they are becoming poorer under the fiscal policy of this Government. It is an evidence of this, however, that they are growing in wealth. In the aggregate they are better off than they were before. There may be isolated cases, there may be certain sections of the country, and we all know it, in which the farming community like others are not as well off as they should be, but it has led intelligent farmers in the country to the conclusion that they must change their agricultural methods to meet altered conditions. I remember when the treaty of 1854 was abrogated, in my own section of the country whenever you saw a Yankee drover, as we called them, coming into the district to buy the settlers' cattle, the farmers were glad to take $10, $15, or $20 per head for their stock, and if they got $25 for a cow they thought they were rich. At that time the farmers were devoting their whole time and energies to the growing of coarse grains which found a market in the United States. When that market ceased, they turned their attention to other branches of farming. I see an hon. gentleman opposite to me who was one of the first to visit the United States and study their dairying industries and the mode and manner in which they were carried on, and he came back to his county and established the first cheese factory in the eastern section of our country. The result is to-day that the farmers have turned their attention to dairying and stock raising, instead of to growing coarse grains. I refer particularly to the hon. Senator from Quinté (Mr. Read) and to the county of Hastings. We have now over forty cheese factories in that district, and they are beginning to establish creameries under instructions from the Experimental Farm—over which my hon. friend to my right (Mr. Angers) presides. I look forward to the time, at no very distant day, when our butter will occupy as prominent and profitable a position in the English market, as the cheese does to-day. We exported last year cheese to the amount of $11,000,000. It may not be gratifying to the gentlemen who desire commercial union, continental union, or unrestricted reciprocity — which that able but erratic writer, Mr. Goldwin Smith, says, mean one and the same thing — to know that the McKinley Bill, instead of destroying the trade of this country, has only diverted it from the United States to England. The Trade and Navigation Returns show that while our trade with the United States is falling off through the operation of their policy, it is increasing with England. Our neighbours are cutting off their own noses to spite us. The export of the products of the farm to the United States in 1891 was $10,188,760, being $14,075,462 less than to Great Britain; while last year it had fallen through the operation of their own tariff, and from the fact that there is a better market in England than there is in the United States, to $7,235,012; and I am convinced, from a careful study of this question and from practical experience of the tariff during the period I have held a position in the Government of Canada, that the whole trade of this country is gradually going to England and to Europe, where we find the consumer, rather than passing through the United States, where our products are purchased by the middleman, who exacts his profit and then sends the goods on to England. It is nonsense to suppose that a country that exports as does the United States is our best market. Take the articles of ham and pork as an illustration. I have the President's message in my hands stating the figures.

In one month alone, last year, they exported over 94 millions of pounds of the products of the hog to the European markets. Yet we are told that we ought to take the duty off pork from the United States by means of unrestricted reciprocity, and that it would have the effect of providing a profitable market for exporters from Canada. That may be so, but I am unable to draw any such conclusion from the facts as they exist. This trade question, I admit, is one that is very prolific of argument. I might occupy your time for hours in discussing it. It is worth studying, and while I ask the forgiveness of the House for referring to it at the length I have done, I may explain that I should not have done so, had it not been for the remarks of the hon. gentleman opposite yesterday. Departing a little from the line of argument which I have just been following, if you will examine the following table showing the aggregate trade with Great Britain and United States for the last five years, you will find that the conclusions I have indicated are absolutely warranted by the figures :—

	With Great Britain.	With United States.
1888	$ 79,383,745	91,053,913
1889	80,422,515	94,059,844
1890	91,743,935	92,814,783
1891	91,328,384	94,824,352
1892	106,254,984	92,125,599

Last year, the tide was taking a turn and our trade with Great Britain exceeded our trade with the United States by over fourteen millions. I know it has been said that this is not a matter for congratulation, that if the farmers had the nearer market which some are clamouring for, the trade would not be flowing to England, but would be going across the border. I admit that that may be so to a certain extent, but if it were so, the profit derived by those who are exporting to a foreign country would not be so great as it is to-day, from the simple reason that our products would be purchased by middlemen in the United States, either for purposes of exportation or to take the place of products of the United States which had been exported; consequently, the purchaser in this country would be minus just the difference between that which he would receive from the middleman, and that which he would receive from the consumer himself. The hon. gentleman said also, that we had not progressed in our exports or in our imports as was indicated and claimed by the party in power, that is to an extent which added to the material prosperity of the country. If he will look at the mining industry, although that is comparatively in its infancy, he will find that we exported last year 137,934 tons of coal in excess of the year before. We exported 9,880,975 pounds of nickel, the product of the mines of the northern section of the country, more than was exported the year before. That industry is just beginning to develop, and I hope that at no very distant day, instead of exporting the matte, or ore, from this country, we shall have industries established and factories in operation, so as to produce the pure article, and not enrich the United States by the cost of the labour employed in bringing the metal to a perfect state. If you will look at the importation of raw materials, you will find the same result. We imported of cotton, tobacco leaf, raw silk and wool, 2,068,985 pounds more than the year before. If we imported that quantity of these materials in the raw state more than we imported during the previous year, it is an evidence that the industries in this country are increasing their output to that extent precisely, and if the industries are increased to that extent in the use of that enormous quantity of raw material, then the labour, in order to manufacture the articles, must be greater, and wages be better than the year before; and so on in almost every vocation of life. Referring again to the amount of exportation, we exported last year leather goods, ships, cottons, implements and carriages (this does not include the settlers' effects to which the hon. gentleman referred yesterday) $732,494 worth more than we did the year before. In addition to this, as the speech refers to the continued progress of the country, I will offer a few figures as to what the result of the last six months has been, the six months ending on the 31st December last. During the six months ending on the 31st December, 1891, the imports amounted to $59,615,848 and during the last six months of 1892 they had risen to $60,322,000. The exports for the last six months of the year 1891 were $71,738,049, and for the last six months of the calendar year which has just ended, they were $74,256,707. The increase in the imports was $506,875; and it is a gratifying fact that the exports of this country, of all classes of goods, increased during that six months (and were by far the largest exportation during any corresponding period in former years) by $2,518,658, so that there is every probability that at the end of this year we will show a much larger export trade, as well as a much larger aggregate trade, than that for the year ending the 30th June, 1892. The most gratifying fact of all is that these exportations are principally the products of the farm, the forest and the mine. My hon. friend mentioned the question of cheese and butter. There was exported for the year ending 30th June, 1892, from the United States of the product of the dairy (which includes cheese and butter, and to the latter of which we have not devoted our attention at all until of late) $11,038,884. I may mention that this has added to it oleomargarine, which should not be included in the products of the dairy, and therefore, Canada stands pre-eminently in a better position in that respect. We exported of the products of the dairy in the same year $12,708,470, showing that in the last decade—not altogether within the last decade, but certainly since the repeal of the old reciprocity treaty—we have changed our position in Canada from being importers of these articles to a large extent from England and the United States to being larger exporters of dairy products than the whole 65,000,000 of people in the neighbouring country. With 5,000,000 of a population, we send more dairy products out of Canada to the English market than our neighbours do from the whole of the United States.

Hon. Mr. READ—I may say that we are only just commencing.

Hon. Mr. BOWELL—I quite concur in the opinion of the hon. member from Quinté. We are only just commencing. The industry is just in its infancy, and I look forward to a period at no very distant day when the product of the creameries of my own province and the other provinces in this Dominion will quite equal that of cheese. There is no reason why it should not do so, and the trade will increase. People will ask: "Oh, where can you dispose of the vast quantities that you are producing?" In reply, Look at the trade returns of England and see the amount of money paid for these two articles every year, and you will find that the market within the bounds of those little islands of Great Britain and Ireland will be quite sufficient to absorb all that Canada and the United States can produce for the next twenty-five years.

We have heard a very great deal of the change of the features of trade in this country with the United States. We have been told that we have been legislating against the interests of the mother land, that our whole policy was a discrimination against England and in favour of the country to the south of us. Do the facts and figures prove these statements? I have an interesting table before me, running down from 1868 to 1892, showing the percentages of the trade of Canada which went to Great Britain and the United States respectively. It is as follows:—

EXPORTS OF PRODUCTS OF THE FARM.

	Per cent exported to United States.	Per cent exported to Great Britain.
1868........	60·36	34·31
1869........	67·70	33·23
1870........	58·00	37·67
1871........	58·82	36·00
1872........	54·12	40·36
1873........	44·46	50·28
1874........	42·16	53·58
1875........	43·72	56·03
1876........	47·88	46·85
1877........	43·69	51·07
1878........	35·78	59·78
1879........	38·91	56·83
1880........	35·34	59·54
1881........	37·90	58·22
1882........	48·11	47·79
1883........	43·00	52·43
1884........	39·02	57·00
1885........	38·09	58·91
1886........	39·01	56·76
1887........	35·42	59·79
1888........	44·58	51·95
1889........	43·58	53·34
1890........	36·50	60·08
1891........	29·28	66·21
1892........	16·78	77·28

I am sure that everybody who will take the trouble to read these figures and study them will come to the conclusion that England is the natural market for the products of this country, and as our people begin to understand it—the change is taking place so rapidly that people can scarcely apprehend the fact—they will adjust themselves to the new conditions of trade. These figures show the indisputable fact—say what you will of the McKinley Act—that if its operation has been injurious to any class, it has been to the interests of the people of the United States themselves and not to the people of Canada. I repeat, our trade being direct with England, instead of through the United States, gives the best possible evidence that we are reaping a great benefit financially and pecuniarily from the operation of the McKinley Act, to the loss and detriment of the people engaged in trade in the United States. If this is satisfactory to the people of that country, we certainly can have no cause to complain.

Hon. Mr. BOULTON—That is the difference between free trade and protection.

Hon. Mr. BOWELL—Precisely, so far as affects the United States, but not in the sense in which the hon. gentleman intended to apply it. I probably may have something to say at some future time with regard to this question of free trade *versus* protection. We have it constantly stated that our policy taxes the importations from England at a much greater percentage than the goods we import from the United States, and that therefore we are discriminating against England because we import a greater quantity of English goods which pay a heavier percentage of duty than those which come from the United States. Had any one of these gentlemen, who have so freely and so often spoken upon this point in connection with the trade of the country, taken the trouble to calculate the percentage of duties paid upon goods imported from England in 1878 and 1892—the one being under what was termed the revenue trade policy of the hon. gentlemen opposite, and the other under the protective or National Policy of the present Government—they would have found that the relative percentages are so nearly alike that there is scarcely any appreciable difference between them. I will give you the percentages, that the electorate may know when they hear this statement again that, even if the hon. gentleman who leads the Opposition should unfortunately for the country find his way to the treasury benches and return to the old policy and reduce the tariff to one for revenue purposes only, the same results would follow that which flowed from their tariff in 1878. I have had this calculation made very closely and accurately. It is as follows:—

RATE of duty—Compared. (Imports.)

1892.	Dutiable.	Free.	Total.	Duty.	Rate.
	$	$	$	$	Per cent
Great Britain...	30,831,809	10,516,626	41,348,435	9,074,200	21·9
United States...	29,505,550	23,632,022	53,137,572	7,814,558	14·7
	....	....	....	....	7·2
1878.					
Great Britain...	32,139,783	5,291,397	37,431,180	6,445,985	17·2
United States...	23,464,503	25,163,686	48,628,189	4,790,426	9·8
	....	....	....	....	7·4

When you consider this important fact in connection with our importations from Great Britain and the United States you will find the statement of the opponents of our trade policy, so far as its affects British trade unfair. If you consult the Trade and Navigation Returns you will find that a large proportion of the duties paid on articles coming from England are collected on wines, liquors, silk and other luxuries which are used by the wealthier classes of the people. Take liquors for instance, the duties imposed on them average from 100 to 150 per cent. Liquors come principally from Great Britain, not from the United States; and if you deduct the duty paid on silks, satins, liquors and wines imported from Great Britain, from the aggregate trade of the country you will find that the percentage would be lower upon the articles imported from England than those upon goods from the United States. Yet we hear the statement constantly made that we discriminate against Great Britain and even see it repeated in letters published over their own names, in their newspaper reports, and in their editorials on the same subject, that we are discriminating against Great Britain, from the fact that taking the percentage based on the importations from these two countries we collect more on goods from England than on goods from the United States. I have shown that under their own tariff and management the difference was about the same as it is at the present time. I have another table here which should be placed before this country. We hear at the present time a good deal about tariff reform. We are told that, because a change of political parties has taken place in the United States, therefore we must change our whole policy—that they intend to reduce their duties. I hope they may. I hope they may go so far as to place Canada towards the United States in precisely the same position that Canada occupied for years and years to the United States. I should like them to reduce their tariff as low as ours was while the hon. gentlemen opposite were in power and we keep our own where it is, or nearly so, that we might get into the United States and flood their markets with the products of our industries as they used to flood ours. When that time arrives I shall not only be glad to see it but hail with delight any change that they may make. If any hon. gentlemen will take the trouble to read an article in the *Forum* for February written by Mr. Wells, who is certainly a good authority upon matters of this kind, he will learn that Mr. Wells points out that it is utterly impossible for the United States to reduce its tariff below 25 per cent, leaving aside such articles of luxury as liquors, tobaccos and articles of that kind. That is much higher than our own, taking out these articles. Ours averages not more than seventeen and a half per cent. Now, has not the policy of the Government during the last ten years been to reduce the taxation upon the people of this country whenever an opportunity presented itself and the revenues of the country would justify it? When we came into power in 1878 we found deficits of millions and millions year after year. These deficits had to be made up by borrowing money from England, and we found that the debt was increasing just in proportion to the amount of each deficit, but just as soon as a change of policy took place the revenue began to rise, and just in proportion to the increase of revenue the people were relieved of such taxation as bore directly on the masses; so that tariff reform has been carried on from the very moment that what is termed the National Policy was adopted by this country. I will show you the extent to which that reduction has taken place, confining myself, mark you, only to a very few articles. When the Reform party came into power in 1874 we found that in order to raise money a great scheme was brought forward by the Finance Minister of that time—something I suppose which must have been astounding to men like Gladstone, Disraeli, and those who had dealt with financial problems in the old country. We know—those of us particularly who were in Parliament—that we first had a tariff brought down, of an incongruous character, which satisfied nobody. Then we had that magnificent stratagem of raising the whole tariff two and a half per cent, which was certainly one of the most remarkable evidences of statesmanship and financial ability ever presented to the country. In addition to that they placed a duty on tea, coffee and other articles from which it had been removed by the Government of Sir John Macdonald previous to going out of power. Now, if you take the duty on the articles of tea, coffee, and tin, together with bill stamps and newspaper postage, which have been removed by the present Government, and add to them what has been saved in the way of taxes upon coal and sugar you would be surprised at the amount of which the people of this country have been relieved since 1883 to 1892 inclusive. The figures are as follows :—

Year.	Tea.	Coffee.	Coal.	Tin.	Sugar.	Bill Stamps.	News-papers.
	$	$	$	$	$	$	$
1882	682,300	36,344	....	57,480	....	....	....
1883	999,571	37,076	....	103,848	....	180,000	55,000
1884	895,933	32,456	....	84,025	....	181,000	58,000
1885	1,032,040	51,988	....	91,402	....	182,000	61,000
1886	1,275,670	24,082	....	97,805	....	183,000	64,000
1887	1,020,313	24,106	312,360	104,094	....	184,000	67,000
1888	955,361	42,662	1,068,652	106,967	....	185,000	70,000
1889	951,417	52,420	638,043	115,038	....	186,000	73,000
1890	1,004,149	56,157	600,667	120,671	....	187,000	76,000
1891	978,977	60,642	699,533	116,049	....	188,000	79,000
1892	1,257,966	60,894	739,553	155,646	4,500,000	189,000	82,000
Total	11,053,697	478,827	4,058,808	1,152,025	4,500,000	1,845,000	685,000

Making a total saving in these twelve years of $23,773,357.

In addition to the articles enumerated in the table which I have just read, there are on the free list to-day 113 articles more than there were in 1878, when the National Policy was first introduced, showing that the Conservative party did not lose sight of tariff reform, when such reform was necessary in the interests of the people. I notice that these gentlemen whenever they talk to the people of the country make no reference to the fact that in proportion to the increase of the revenue the Government have never lost sight of the important fact that they should relieve the people of duties upon articles which go into general consumption, and which the poorest person in the land has to buy, while keeping the duty as high as it ever was upon such luxuries as liquors, silks and other articles of a similar kind. I have dealt with this question of trade at sufficient length and shall now confine myself to a few remarks in reference to the criticism of the hon. gentleman upon the canal tolls and the construction of the Sault Ste. Marie Canal. I was surprised—well, hardly surprised—at the eulogy passed by the hon. leader of the Opposition upon President Harrison's message to Congress in reference to the imposition of canal tolls.

Hon. Mr. SCOTT—I passed no eulogy.

Hon. Mr. BOWELL—Perhaps the hon. gentleman would allow me to explain what I considered was a eulogy.

Hon. Mr. SCOTT—I said that his proclamation was copied from yours.

Hon. Mr. BOWELL—That was a compliment to us. The hon. gentleman said that it was the most masterly piece of diplomacy that he had ever read. Then he said that it was an exact copy of the Canadian Order in Council.

Hon. Mr. SCOTT—I said it was on the same lines.

Hon. Mr. BOWELL—The hon. gentleman paid us the compliment of saying that it was a masterly piece of diplomacy, and that it was on the same lines as the Canadian Order in Council, but if he had studied the question, and he will permit me to say so very respectfully, he would have learned that it was not on the same lines as the Order in Council issued in Canada, and that its provisions are not the same as ours, for it applies to all vessels passing through the Sault Canal bringing articles to any port in Canada, no matter for what purpose. There is no such regulation and no such provision in the Order in Council passed by the Government of Canada, and if the hon. gentleman had referred to the report made by the Interstate Committee, or committee of the House of Representatives or of the Senate (I am not sure which), on the trade relations between Canada and the United States, he would have learned that that report states distinctly and positively that the 27th clause of the Washington Treaty was repealed by the Government of the United States when they repealed the other clauses of the treaty; and consequently, no matter what we may have done in reference to the canals, it was not an infringement of the provisions of a treaty which had no existence, according to the report of that committee. I can tell the hon. gentleman further, that if he has not read it, he ought to have read it before he came to a conclusion—and should study it before he attempts again to lecture an intelligent body like this, and the people of this country—that the most eminent members of the bar in the United States have given the same opinion and I know that some of the most prominent members of the bar in this country hold the same opinion in reference to the repeal of that section of the treaty. I am not speaking my own individual opinions. In the negotiations with the late Mr. Blaine and Mr. Foster, the present Secretary of State, I read that report to them and stated that if the opinions expressed by the gentlemen who composed that committee—and they were the most eminent men representing these bodies in the United States—were correct, the United States Government had no right to find fault with anything we might do in reference to the management of the tolls of our canals.

Hon. Mr. SCOTT—I have never heard before that this Government supposed that the clauses had been repealed.

Hon. Mr. BOWELL—There are a great many things the hon. gentleman, I was convinced from the speech that he made yesterday, had not read and does not know. I am telling the hon. gentleman the views taken on the subject in the United States, and I am telling this House the views that are entertained by eminent legal gentlemen in this country. It is true, we have not acted on that view, but I say that if leading statesmen in the United States hold that view on this particular question—they have no right to find fault with any action that we might take, even if we were to shut up the canals. That same report used this language, as near as I can recall it—that they were using Canada's canals at the sufferance of the Government of Canada. It is not our policy, it was not our desire to deprive the United States of the use of these canals. We are not oblivious of the fact that we have interests at stake just as great as they have; nor are we forgetful of the advantages that accrue from the use of all these canals on terms of equality, both by the United States and by Canada. The hon. gentleman, unintentionally, I think, misled the House.

Hon. Mr. SCOTT—No, I did not mislead the House.

Hon. Mr. BOWELL—That infers that the hon. gentleman knows what impression was left upon the minds of the members of the House, when he made his speech. He may be a clairvoyant for aught I know, and able to read the minds of others, and thereby know the views and sentiments held by each member of the Senate, but I repeat the impression left on this House, I will not say that it was left on the House, because I think the House too intelligent—but the impression attempted to be left was that we gave no rebate upon American vessels passing through the canals discharging at Ogdensburgh, while a Canadian vessel did get the rebate, even if she discharged her cargo there.

Hon. Mr. SCOTT—I made my remarks as clear as possible.

Hon. Mr. BOWELL—The impression was left on the minds of members as I have indicated. What are the facts? If an American vessel passed through the Welland Canal and goes direct to Montreal with her cargo, even though she discharges or tranships it at Kingston, and that cargo is exported from Canada, she receives the eighteen cents rebate.

Hon. Mr. SCOTT—I stated so positively over and over again.

Hon. Mr. BOWELL—That may have been the intention of the hon. gentleman, but I repeat it, a different impression was left on the House, and I am stating what that impression was.

Hon. Mr. SCOTT—The hon. gentleman must not misrepresent me. I am not accustomed to being misrepresented in the manner in which the hon. gentleman has tried over and over to do it to-day.

Hon. Mr. BOWELL—I have no desire to misrepresent the hon. gentleman. I am not doing it intentionally. I appeal to the judgment of this House as to whether I am misrepresenting him by what I have said. If the House says that I have misrepresented him in any particular, I shall readily apologize for having done so. It would be improper for me to do so under any circumstances, and particularly so now, this being the first opportunity that I have had of addressing this honourable body. I desire to place before the House and the country the facts as they really exist:

If a British vessel came through the Welland Canal with a cargo of grain and took it to Montreal for the purpose of export, a rebate of 18 cents per ton was paid. If a United States vessel came in the same way, it was treated in exactly the same manner and received the same rebate. If a British vessel, after passing through the Welland Canal with its cargo, transhipped it at Kingston or any other Canadian port for export at Montreal, a rebate was granted as before. If a citizen of the United States treated his cargo in the same manner he received the same rebate. If a Canadian vessel discharged its cargo short of Montreal, without transhipment thereto, it paid the full toll of 20 cents; and a United States vessel transhipping its cargo in the same way also paid the full toll of 20 cents. If a British vessel brought its cargo to a United States port, east of the Welland Canal and transhipped it to Montreal for export, it received no rebate, but paid full toll; and a United States vessel treating its cargo in the same way paid the same full toll. Local Canadian cargoes shipped from ports east of the Welland Canal, for Montreal, paid full toll on the St. Lawrence Canals; United States cargoes shipped from points east of the Welland Canal to Montreal, paid the same tolls. So that in all respects the same treatment was given in the Canadian canals to United States citizens as to subjects of Her Majesty. The regulations that were passed and adopted by the Government apply with the same force to all vessels. We admitted in our negotiations with Mr. Blaine, that it was a discrimination against a route; and if it were not so, what would be our position, or what does the hon. gentleman desire that this Government should do, or what would he do if he were in power? If his views were adopted, an American vessel which passes through the Welland Canal, and proceeds to Ogdensburgh and tranships, she would receive 18 cents rebate on each ton of her cargo; but if a Canadian vessel passed through the Welland Canal and proceeded to Prescott, a Canadian port, opposite Ogdensburgh, and unloaded her cargo of wheat, the ultimate destination of which might be Ottawa *via* the St. Lawrence and Ottawa Railway, for the mills there, for consumption in Canada, she would pay the full amount of 20 cents per ton; so that there would be an actual discrimination against every consumer in Canada of 18 cents per ton on the breadstuffs brought through the Canadian canals, and discharged in the manner I have described. That is the policy that the hon. gentleman would like to have inaugurated in this country. It is quite equal to the course they pursued in 1878, when the operation of their tariff, and their whole policy, brought the country to the verge of bankruptcy and ruin. I have stated the position fully which we hold in reference to the canal question. The hon. gentleman said that probably we would continue it next year. I have no doubt that he reads the newspapers and probably has seen the despatch which was published and sent to the United States, stating that while we hold to the right as Canadians to legislate upon this question, in the lines that I have indicated we have done, we do not propose to continue it after this year, providing that they would not impose a tax on vessels passing through the Sault Canal. However, they did not accept that as sufficient. On the contrary they said that we promised them during the negotiation last February to remove that tax; and here, again, I think the public men of Canada have just cause to complain of the action of those who are opposed to them politically. Whenever the question of veracity arises between American diplomats or statesmen and ours, or whether it be an American newspaper, it matters not how high or low it may stand in public opinion, they always give the preference to the American version of the affair, and intimate, as the hon. gentleman did yesterday, that the statements made by Sir John Thompson, Mr. Foster and myself were not correct, but that the version given by Mr. Blaine and Gen. Foster was the correct one, and that we had not told the exact truth in the matter. Fortunately, a despatch which was received from General Foster, now Secretary of State of United States, not ten days ago, sustains the statements which we made on our return to Canada, after our interviews. This despatch verified every word we uttered in reference to our mission. What we told them in our negotiations was, that we would, upon our return to Canada, consider the question fully, with a view to removing, if it were found to be contrary to the treaty stipulations, any misconception that might have arisen upon this question. That is what we stated when we returned. The version given by Mr. Blaine and Mr. Foster was, that we had promised to remove the discrimination (as they termed it) in connection with the canal tolls so far as transhipment at Ogdensburgh was concerned. What we did state, and I repeat it here on my responsibility as a minister of the Crown, apart altogether from my own position, personally, and in defence of my own and colleagues honour, that we made no such promise. I have in my hand an extract from this despatch in which it is acknowledged, unintentionally perhaps, that the statements which we made on our return were literally true. But General Foster goes on to say that they, Mr. Blaine and himself, drew certain inferences. I, nor my colleagues are responsible for any inferences that Mr. Blaine or Mr. Foster may have drawn from any remarks we made on that occasion. We are not in the habit of expressing our views in such a manner as to lead to any misapprehension. Mr. Blaine paid me the compliment of saying: "You are an Englishman, and a frank man." I admitted it. I was neither ashamed that I was born in England nor of being frank and outspoken in any opinion that I had to express to him, or in any other matters, particularly, where the interests of my country were at stake. I added that I had been a resident of Canada for about sixty years and thought I might lay claim to being a tolerably good Canadian by this time. I was surprised at the position the hon. gentleman took in reference to the Sault Canal. There was one remark he made which was true, and with which I am fully in accord. He said that the Government of the day seemed to act with a good deal of bravado, or words to that effect, and to boast that they would be independent of the United States. I hope I may live long enough to see the time—though I am now pretty well advanced in years—when we will be under no obligations to the United States in trade relations, or in anything else. It is my desire to have, if possible, the most friendly relations with the United States and all the rest of the world. It is my desire to see free intercourse, as far as is consistent with the protection of our own interests; but I do not wish to be placed, nor do I believe that any patriotic Canadian wishes to be placed in the position—if I may use the term—of playing second fiddle to, or being dependent on, any foreign power in order to get to market with the products of our country. With respect to Mr. Blaine—I speak respectfully of him, because our intercourse with him was such as to make me—while I differed materially and essentially from the position he took—admire the man for the frankness with which he gave expression to his views. I like to discuss questions with a man who speaks frankly and openly, and when he turned around upon us and put almost the same question that the hon. gentleman put in this House yesterday—"what do you want to go to the expense of constructing that canal for?" I simply replied, "to be independent of you, Mr. Blaine. You forget, perhaps, that your predecessor recommended to Congress the adoption of a policy of non-intercourse with this country. You may not bear in mind, in all probability, what the effect of non-intercourse would be. The only means we have of outlet at certain seasons of the year for the products of our great North-west, which are yearly swelling by millions of bushels, is by the railway. We are but five millions, and you are sixty-five millions, and we cannot afford to be at your mercy to shut any outlet we may have now, or hereafter, in order to cripple the trade of our country; and by that threat of yours of non-intercourse, you have put us to an expense of over $3,000,000, but we have readily spent it. Being an independent people, we propose to govern ourselves, amicably with you if possible, but if not, we will do it alone." That is precisely our position. I must confess that I was surprised to hear the leader of a great party in this country give expression to a regret that we had spent money in the construction of that canal. It was a fatal mistake that was made by the late Sir Francis Hincks (then Mr. Hincks), when he did not seize the opportunity originally of having the canal built on the north shore of the Sault instead of allowing the Americans to build it. My hon. friend is old enough to remember the discussions which took place at that time, but unfortunately, there were politicians in that day who entertained views similar to those held by some hon. gentlemen at present, and they were willing to sacrifice their own country and let the Americans get control of the carrying trade and the means of outlet and inlet of our great North-west at the expense of their own country. I was a young man at the time, but I remember distinctly taking the same view then that I do now—that a fatal mistake had been made. The hon. mover of the

Address said we intended to have a lock similar to that of the United States. That was the original intention, but after the death of our lamented chief, a change was made in the plans of that canal, when I visited the works in company with my hon. friend on my left (Hon. Mr. Smith), to whom I must give credit for assisting materially in changing the plans. Of course we did not view the situation from an engineering stand-point, because neither of us is an engineer, but we lay claim to that quality which enables men to get through the world successfully, the quality of common sense. We found that the Americans were building a lock 600 feet long, 100 feet wide and twenty feet deep. It will be easily understood that with a lock one hundred feet wide, each halt gate must be in the neighbourhood of sixty feet wide. The pressure must be tremendous, and the difficulties in working the gates very great, hence we came to the conclusion, after consulting our engineer, that a lock sixty feet wide, nine hundred feet long, and twenty feet deep, would be much more practical and much easier worked, than one of the dimensions built by the United States; I am glad to know that the engineers, who ought to have better ideas on questions of this kind than two laymen, approved of this; and when in Washington we pointed this out to the United States people, that we would not only have a canal better than theirs, which could be worked easier and cheaper, but that it was to be built on a plan which would enable us to duplicate it whenever the trade of the country shall require it. The entrance to the canal from the Sault River is wide enough for two locks, and the north wall is being so built as to enable us to construct a similar lock to the north of it, when vessels will be able to go east and west without interruption of trade. I say, with all respect, that any Canadian who grudges the expenditure on that work and thinks it unnecessary, in my opinion, has very little regard for the greatness and the future prosperity of his country. The same remarks apply to the negotiations with Newfoundland. The hon. gentleman thought that Confederation was rounded off sufficiently as it was, and that Newfoundland ought not to be brought into the confederacy. I differ from him *in toto* upon that question. I look upon the isolation of Newfoundland, in the present state of affairs, as one of the most serious menaces towards the peace and harmony of this country, not only as regards the United States, but with respect to other countries as well. Every few months, or every few years, something arises in which the people of Newfoundland are deeply interested, and would like to get a connection with the United States, no matter at what expense to Canada, thereby placing Canada and Canadian fishermen at a disadvantage in the markets of the world. Take the present Bond treaty as an example, and what would its effect be? Every quintal of fish taken by Newfoundland fishermen would be relieved of the tax of 75 cents imposed under the United States tariff, while every quintal caught by Canadian fishermen in the same waters would be under the disadvantage of paying a tax of 75 cents in the same market. That is Mr. Bond's interpretation of the treaty. When the papers are laid before us you will see that the Canadian delegates dissented from such an interpretation, and yet the hon. gentleman says that he was opposed to the policy of the Government last year, but from patriotic motives did not so express himself at the time, for fear he might be accused of advocating a policy which would be detrimental to Canada, or of interfering with the negotiations then going on. The hon. gentleman's colleague in the lower House—the member for Bothwell—was not so delicate. He laid down the broad principle that it was an impertinent interference on the part of Canada to protest against any treaty being negotiated between Newfoundland and the United States. The Government saw the effect which the sanctioning of that treaty by England would have upon the fishing industries of our Atlantic seacoast, and it was the duty of the Canadian Government, who were watching the interests of Canada on all points, whether in minor details or in the case of the great fishing industries of the Atlantic seaboard, to intervene and prevent the ratification of such a treaty if possible; and I am glad to say that they were successful in preventing the ratification of a treaty which would have been so disastrous to our fishing interests on the Atlantic coast. I hope that at no very distant day the people of Newfoundland will see that it is to their interest to come within this confederation, and I also hope the day is not far distant when there shall not be a single foot of British North America that is not under control of the Dominion. It may cost a little money, but the fact of its costing a little more than we would get directly in return, would be a thousand times over compensated for by the fact that we should remove all those difficulties with the United States which are constantly arising, as well as many other perplexing questions which now exist in the political arena. Another important advantage would be this: It would enable us to negotiate with still more force and powers with our neighbours across the border by having but the one interest, instead of two, to be represented at the conferences. It would also relieve the mother country from many of the vexatious negotiations and much of the trouble and annoyance which is given to her by the constant friction existing between these two portions of her dominions. For these and many other reasons, I favour union with Newfoundland. When the papers are laid upon the Table, hon. gentlemen will have a better opportunity of learning what position we took upon that and other matters, more particularly upon the question of union. I can only hope, and I say it with all sincerity, that we may all live to see that island a part of this great confederacy, and that we shall go on prospering in the future as we have in the past. There is one other question to which I desire to call the attention of the House. The leader of the Opposition condemned the Government for the position it has taken on the question of wrecking salvages and towing. It is true, an arrangement was entered into between the United States and Canada, to reciprocate in these matters, but it was to be confined, as the Canadian delegates understood it, to waters contiguous to the United States, for Canadian vessels; and to waters contiguous to Canada for United vessels. It was never contemplated that this privilege should extend to the Welland Canal. The House will readily understand the position Canada would be in, were the privilege of wrecking extended to the canals. An accident might occur to a United States vessel in the canal and the owners might insist upon waiting for assistance until wrecking appliances could be procured from Buffalo or Chicago, thereby stopping the whole trade of the country in order that the work might be given to an American company, which in all probability had an interest in the vessel wrecked or injured. The correctness of the position the Government has taken does not admit of a doubt, and therefore, not debatable, except for the unlaudable purposes of carping and finding fault. To show the claim of the United States Government is of no consequence to those interested, I quote a short extract from the "Annual report of the Board of Managers of the reorganized Lake Carriers Association" of Cleveland, Ohio, of January 2nd, 1893. These gentlemen, among other things, say:—

> As the benefits of reciprocity in wrecking would largely fall to American vessel owners, and further delay would be greatly to their disadvantage, and as the privilege of carrying on American wrecking operations in the Welland Canal is not regarded as important, the Board of Managers have recently called the attention of the American Department of State to this subject, to the end that the American Act of Congress may, if necessary, be amended at the present session by striking out the reference therein to the Welland Canal, thus making possible immediate proclamation of reciprocity in wrecking by the President of the United States. The Department of State is fully advised of the importance of securing this aid for American wreckers and vessels owners, and we are satisfied that by the opening of navigation this privilege so long sought will be an accomplished fact.

With these remarks, I leave the question for the consideration of those who view questions of this kind from a Canadian, rather than a party stand-point. I have just one word to say in reference to this country and its prosperous condition, and I will have done. I must first apologize for occupying your time so long. The hon. gentleman drew a most painful picture of the state of this country. Horror and dismay were depicted in every sentence he uttered. Plague and pestilence and war, and almost everything that could devastate a country, must have been paramount in his mind. I think, I can give him a recipe for all the difficulties, so far as he is concerned. If the people would permit him to occupy my seat for a few years, you would find he and his colleagues would begin to extol the country and to affirm it to be the brightest gem in the crown of Great Britain; and that it is prosperous beyond any other country in the world. Unfortunately, however, for him and his co-workers, the people of Canada have not sufficient confidence in them to trust them with the management of their affairs. Let me before closing observe that the hon. gentleman called to his aid the statement of Mr. Robert White, M.P., in an article which that gentleman published in the *Lake* Magazine, on the canal tolls question, as an evidence that we must be wrong, because he (Mr. White) happened to differ from us on that one question. Perhaps the hon. gentleman would permit me to call his attention to one or two utterances by representatives of his own party on the condition of this country and I, on my part, would advise those who have not read that paper of Mr. White's, to read it carefully. It is an able document—though I do not agree with the conclusions that he drew—and worthy of the gentleman who wrote it. He has done in that paper precisely what the hon. gentleman did in addressing this House. He has forgotten to point out that in dealing with the question of the rebate of tolls, the same rule applied to Canadian ships as the United States vessels. Perhaps the hon. gentleman would accept, after his remarks to-day I do not know that he would, a short extract from the *Globe*, written some time since, as a fair statement of the condition of this country. As he has repudiated the *Globe*, I read it for the benefit of those who put more faith in its utterances than he does. A short time ago that journal—and it is a very able journal we all admit, although on most questions fearfully wrong in its deductions, though sometimes by accident it stumbles on the truth—published an article on Canada's credit, in which it said :—

> A very valuable table in the London *Economist*, the compilation of which must have taken days of somebody's time, is devoted to showing the decline of the yield to the investor from first-class securities during the last twenty years. Beginning with consols, it shows that the income from £100 has fallen from £3 4s. 6d. in 1869 to £2 18s. 6d. in 1888. The fall in the yield from other first-class securities has been even more than proportionately great, and it is very satisfactory to note that the fall has been greatest of all in the yield from Canadian securities. In 1869 £100 of Canadian Government bonds yielded £5 7s. 9d. In 1888 £100 of Canadian securities yield only £3 8s. 6d.—a decline of 37 per cent in the burden of $100 of indebtedness upon the Canadian tax-payer—a boon which the rapid increase of the debt, however, has prevented the tax-payer from enjoying. Compared with other British and Colonial stocks, the advance in the credit of Canada has been most marked and gratifying, as the following table will show :—
>
> Annual yield per £100 from each security.

	1869.			1887.			Decline.		
	£	s.	d.	£.	s.	d.	£	s.	d.
Consols......	3	4	6	2	18	6		6	0
India.........	3	17	0	3	5	9		11	3
Canada	5	7	9	3	8	6	1	19	3
Cape.........	5	0	0	3	14	3	1	5	9
N. S. Wales..	5	3	0	3	10	3	1	12	9
Victoria......	5	0	0	3	9	3	1	10	9

> Thus not only has the credit of Canada risen more than that of any other colony or than that even of England herself, but the credit of Canada actually stands to-day on the British markets next to that of India, which is to some extent guaranteed by Britain.
>
> In the face of such facts it is idle for any one to preach despair to Canada. The country is well able to get along and with good government may prosper exceedingly, even though the Commercial Union agitation come to naught.

These are sentiments with which I fully concur. It is also only a short time ago that the hon. leader of the Liberal party in Ontario wrote to Mr. Blake, a letter which I commend to the serious consideration of the hon. gentleman from Ottawa who leads the Opposition in this House, and to those who believe as he does. Mr. Mowat, referring to the condition of Canadians, spoke as follows :—

> It is quite certain that the farms of the United States are heavily mortgaged, as well as Canadian farms ; and we have no solid ground for assuming that they are less heavily mortgaged than our own farms. So our farmers as a class, our mechanics as a class, our labourers as a class, whatever the reasons may be, are not less comfortable on the whole than the farmers, mechanics and labourers of the United States appear to be, though these are harassed by no McKinley tariff, and by no like obstruction to the dealing of the states with one another. Three years ago, Mr. Mowat also said : A comparison of the statistics of both countries for the past half century would show that the percentage of increase in every department was greater in Canada than it is in the aggregate in the United States, and as Canada has prospered in the past so she would in the future.

With these sentiments the majority of the people of Canada are in full accord as evidenced by the votes that they have given and the large majority which they have placed at the back of the present Premier of this country. I trust that whatever our differences may be in reference to the trade policy of Canada, we may act in harmony in future for one great object—the progress and prosperity of the Dominion ; and I have no doubt, that if the whole of the people place a little more faith in the country in which they live, believe more in its resources, have less to say about the greatness of the country to the south or south-west of us, the better it will be for Canada and its people as a whole, and the greater will be the proportion of progress in the country, until we may be, in the future, as we have been looked upon in the past, as the most prosperous and powerful of all Her Majesty's possessions.

Hon. Mr. BOULTON—I wish to join with those who spoke so feelingly of the hon. gentlemen who have left us since we met here last year, and to express my extreme sorrow and regret that they should have been removed by death, and that the country should have been deprived of the benefit of their valuable experience. Naturally, the Senate is composed of a class of men who more or less every year will find their ranks thinned; but notwithstanding that, the subject is one of regret that we cannot all help uniting in. I regret also the loss we have sustained in the resignation of our late hon. leader, Mr. Abbott, through declining health, who for so many years has sat at the head of this House and conducted its affairs as its leader in a manner that won the respect of this House. I regret myself that on the general policy of the Government I felt it my duty to disagree with him on very many points, but notwithstanding that, I have the warmest regard for him as a personal friend and as a Canadian. I can also unite with those who have referred to His Excellency and the probability of his departure from Canada before the next session of Parliament meets. I may say that it is an interesting fact to me that His Excellency and I commenced life together in 1858, in the School of Musketry at Hythe, when first we entered the British service in our respective regiments. Since I left the British service I have spent most of my time in the backwoods of Canada, or upon the broad prairies of the west, from whence I have been called to a seat in this honourable House to participate in and bring my practical experience to assist in its deliberations. His Excellency has been brought up in the great and wide arena of Imperial politics, and we have the privilege and benefit of his experience and ability gained in that greatest of all fields of constitutional legislation, the Imperial Parliament. We have the benefit of his experience and abilities as our constitutional head, which forms also the constitutional link between the mother country and the Canadian people and the link that guarantees our independence, that insures this young country its protection. I trust that that link may never be broken, and that we may always have a man of the ability and experience of His Excellency to form that constitutional link between the Crown and the Canadian people, and that he may carry with him the practical experience gained in our democratic field of politics for the benefit of the British Empire at large. We have had added to our House seven new Senators, and I may say that I have great pleasure in congratulating the Government upon the selection of those gentlemen who have been appointed to sit in this House. They come from all parts of Canada from Manitoba, New Brunswick, Ontario, Quebec and Nova Scotia; they are all gathered here to bring the benefit of their experience and assist the Government to carry on its work successfully with that mature experience which the years they have attained enable them to give.

I do not know that I can congratulate the Government upon its reconstruction. I feel that we are to be congratulated in so far as the Government has appointed two such distinguished Canadians as the hon. Minister of Commerce and the Minister of Agriculture to sit in the House and become part of the Senate. But I entertained the hope that when a new departure was taken in the reconstruction of the Government and that when appointments were made similar to that of the Under Secretaries in the British House of Commons, they might have felt that it was advisable to increase the number of the advisers of His Excellency from the Senate and that they might at least choose one gentleman from the Senate in the reconstruction of the Government. It is not a high compliment to this House to realize that there was apparently no one in it of sufficient weight and ability to become an adviser of His Excellency, and that the Senate has got to be satisfied with only two members of the Cabinet and with our old and valued friend who sits there free of cost to the country. The object, I believe, of appointing Under Secretaries in the British Parliament is that ministers of the Crown may sit in the Upper House, still leaving a representative of every department to speak for the Government in either House; and I had hoped that the departure on the lines they have taken was for the purpose of increasing that representation in this honourable House and thus raising its character before the country; for that reason I say that I cannot congratulate the Government upon its reconstruction.

Now, hon. gentlemen, we have been discussing the Address that has been read to us by His Excellency as a bill of fare to digest and pronounce upon the policy of the Government in the past and the prospects of the country in the future. We have had a most interesting address from the mover and seconder. And I have great pleasure in welcoming them to this House and in congratulating them upon the manner in which they have addressed us and the ability and weight they possess. I feel, however, that the hon. gentleman who moved the Address and who is an old and experienced parliamentarian, realized, when the duty fell upon him to show how the country had prospered and progressed under the policy of the Government, that he had a very weak case on hand to deal with. There is, I believe, an understanding among lawyers that when a counsel has got a bad case, the best thing for him to do in order to strengthen himself is to abuse the plaintiff's attorney. And in the same way the hon. gentleman apparently felt that as his case was such a weak one he had to strengthen his position by adopting the principle of the lawyers and abuse his neighbours. The fact of the people of the United States not being in a such a prosperous condition as the people of Canada I do not consider is a matter for discussion here. So far as the prosperity of the United States or Canada is concerned I believe myself that it can be measured by the difference of the high protective duties existing between the two countries. I believe that the tariff in the United States is something like 45 or 50 per cent, while ours is 30 or 33 per cent; to the extent of that difference in the protective wall, I am willing to accord the palm to Canada. But it is not a question of comparative prosperity between the people of the United States and the people of Canada. With the resources that we have at our disposal, with the intellectual and physical ability and power of our people, can we not be more prosperous than we have been or than our census returns show us to have been in the past ten years? It is to that we should confine our deliberations rather than seek to show that because we are more prosperous than the people of the United States we should, therefore, be satisfied. We should never be satisfied until we have reached that pitch of prosperity that our own intelligence and physical power show us to be capable of. The hon. leader of this House has found fault with the hon. leader of the Opposition for being pessimistic and for not being prepared to accept statistics that are handed to him for discussion. And he made use of words in the course of his remarks to the effect that we should all be prepared to accept as facts, figures that are handed to us through the census returns and through the statistics of the country, as a basis for discussion. I quite agree that in order to appreciate the commercial position of an individual or of a country we must look to our book-keeping in order to guide us as to the wisest course to pursue in our commercial life, and as to what is necessary to rectify or redress the profits or losses as they may occur, but at the same time we want to realize that that book-keeping is done with a degree of intelligence and care that will give us the facts as they are. It reminds me of a story of a gentleman who was a rancher, like our friend here (Mr. Cochrane), on the great ranches of Montana. He had sold out his large herd and retired with a very handsome competence. He was asked by a friend how he had been so successful and made such a very large sum of money through his ranch. Well, he said, I always kept my books very carefully. I sold my herd through my books. I was always careful to put down the percentage of loss through storms, the percentage of increase, the percentage of sales and so on. I did not rely upon my cow-boys' count—I relied upon my books, and when I sold them I disposed of them as they stood through the books instead of on the prairies. Well, Sir, that is the class of book-keeping that brought prosperity to him and enabled him to retire with a handsome competence. That is hard on the ranches, some one says. Well, Sir, that is only an individual instance, but it is an instance of how book-keeping can be made to meet any exigency, and that unless the balance sheet tallies with actual facts the result will not be satisfactory to one of the parties.

I do not wish to cast the slightest reflection upon the Government or to say that they are wilfully misrepresenting the facts in the census returns. But I do say there is a good opening for the formation of a Royal Statistical Society to assist in placing the statistical returns of the country before the people in an intelligent and accurate manner. We cannot always rely upon blue books and returns to arrive at accurate conclusions as to the condition of affairs existing in the country unless they are criticised very closely from year to year. Now, hon. gentlemen, the figures that have been put into the hands of the leader of the Government in regard to the census returns were given by him at a public meeting in Toronto, and they were brought out again, I see, yesterday, by the mover of the Address in the House of Commons. In those statements it is set forth that there was an increase in the operatives of manufactures of 112,000 hands during the past ten years. Now, Sirs, I am inclined to doubt the correctness of these figures and I am inclined to think that there is a mistake, not wilful but a mistake nevertheless. The census returns show that there are engaged in fish curing and canning 29,000 operatives. I do not think these can be properly classified as manufactures, but they are so classified. I have looked at the census returns for 1881 and cannot find that these people were so included as among the manufacturing class, and unless it can be shown that these appeared under some other heading this would account for nearly 30,000 of the 112,000 now appearing in the census returns as an increase. In the same way in the present census returns, 14,646 establishments employing 51,494 operatives are classed as other industries not enumerated. It is impossible for us from the census returns to tell what the occupation of these 51,000 are and whether they were returned in the census of 1881 or not. You will observe that 51,000 in 14,646 establishments represent about four in each establishment and, therefore, it may be presumed that the industries are not of a very important nature, but whether important or not it is quite possible that a very large number out of these 51,000 may go to make up a fallacious increase of 112,000 operatives that have been pointed out to us as being an evidence of the increase in the industries of the people during the past ten years. We all recollect, hon. gentlemen, that during the past ten years we were presented annually with the return of the immigration coming into the country of the number of people being added to the population. I accepted these as facts. I thoroughly believed that the National Policy was accomplishing the result that these returns would lead us to believe, but, hon. gentlemen, when the census returns were brought down and presented to us and an accurate account made we found that the returns given to us previously were inaccurate and that we were not justified in considering or framing any measures upon the growth of the population as shown to us during that period. I merely mention these facts in order to show you that the hon. leader of the House must not find fault with all of us if we do not accept as absolute facts what the census returns have shown, because I believe myself that we should always try and ascertain the truth and the accuracy of such statements by inquiry as to whether the facts are as represented or not, or at any rate they should be in such a form as will enable us to ascertain, by comparison, how far any variation has been made from the usual course.

Hon. Mr. BOWELL—I did not deal with the census returns at all.

Hon. Mr. BOULTON—No, Sir; it was the hon. mover of the Address, but you told us that we should accept as facts statistics that are given to us, and I am merely giving reasons why it is not always wise to accept as absolute facts what is stated in the course of argument, and I am showing where I found a discrepancy, and a great discrepancy too, as regards the increase of the number of operatives in the country. I pointed out that there were engaged in the fish canning and curing, 29,000 persons which were classed as operatives in 1891, but which were not so classed in 1881, and that there is an item in the census returns of 51,000 operatives engaged in 14,464 industries which are returned as unenumerated, so that we cannot tell what kind of establishment they are working in. That is a very large number of men and a very large number of industries, but we cannot tell what they are working at, therefore it is open to doubt as to how far they help to swell the number or whether the same principle was adopted in getting out the census returns for 1881 in regard to those unenumerated industries.

An hon. MEMBER—Are they all included in the 112,000?

Hon. Mr. BOULTON—Yes, they are all included in the 112,000. Now, hon. gentlemen, the increase in trade has been illustrated to us by the exports and the imports during the period for which the official returns have been prepared, and they are described as most gratifying. I do not know, hon. gentlemen, if we inquire into the facts of the case, so far as the exports and imports are concerned, that we will find them as gratifying as His Excellency in his address leads us to hope and expect. I have taken the list of the exports actually as they are, that is to say, the exports which are the produce of Canada, because you must understand that in the figures given to us in the Trade and Navigation Returns, a large amount of foreign trade is included, that is to say, trade coming from the United States and passing through Canada. In 1892 that amounted to $13,000,000 out of the exports of the country. The actual exports of the country which are the products of Canadian labour, as taken from the Trade and Navigation Returns, is $95,684,000, and the exports of the previous year were $85,000,000, so that there has been an increase of exports which are the product of the industry and the labour of the people of Canada to the extent of $10,000,000, that is the increase for one year. Now, of that increase in the Maritime Provinces, there has been absolutely no increase in the exports at all. There has been a decrease in the exports from Nova Scotia, New Brunswick, and Prince Edward Island, as I say.

Hon. Mr. KAULBACH—In values or in quantities?

Hon. Mr. BOULTON—In the values. Of course it is only the values that are given to us. If you take the Maritime Provinces together you will find that there is an actual decrease of $200,000.

Hon. Mr. POWER—The hon. gentleman's statement is correct as to the aggregate of the lower provinces, but not as to Nova Scotia individually.

Hon. Mr. BOULTON—I was speaking of the Maritime Provinces as a whole. I say there is a decrease in New Brunswick which is balanced by an increase in Nova Scotia. There is an actual decrease in the Maritime Provinces taking Nova Scotia, New Brunswick and Prince Edward Island together, of $200,000. Now what is the reason that there is that reduction in the exporting power of the Maritime Provinces? Because the labour has left the country, because there is not the labour there to produce. You cannot have exports unless you have got labour to produce the articles that will enrich the country through their exportation. The census returns have shown us that there has been an absolute standstill in the population of New Brunswick and there has been a very slight increase in the Province of Nova Scotia and a standstill in the Province of Prince Edward Island. That is what the census returns show us and therefore, if the population is at a standstill you must expect the exporting power, notwithstanding the varied resources at their disposal, in the Maritime Provinces or the Dominion of Canada, to stand still to the extent that the population itself stands still, because it is perfectly evident to everyone that without labour it is impossible to produce in a country like Canada or any other country in order to increase the exports or to increase the wealth of the people. With regard to the 10 millions of exports shown here in the Trade returns—where does that 10 millions come from? As the hon. leader of the House to-day has told us, $650,000 of that is from an entirely new industry developed in our northern regions—the nickel regions. This 10 millions of an increase has almost altogether gone through the port of Montreal which shows that the Canadian Pacific Railway has been bringing down from the new districts developed north of Lake Superior, in Algoma and from our Great Western Prairies and pouring the trade of those new districts out through the port of Montreal. That this great increase of export cannot be attributed to the increase of the prosperity of the great mass of the population of Canada, nor to the increased industry of the Province of Ontario or Quebec, or as I have shown of the Maritime Provinces. Then again, there is another feature with regard to our exports that is worth considering, and it is absolutely necessary to consider, and that is the value of our imports in their proportion to our exports. Our importing power is our purchasing power. The value that we get for our exports or the economy with which they are produced is a measure of our ability to import, and the purchasing power of the people should be shown through our imports. Great Britain imports very nearly double what she exports. Why? Because her wealth is so great she is able to purchase those imports—those articles that come into the country in consequence of her wealth. We, in Canada, in 1871, 1872, and 1873 imported 32 millions of dollars, 46 millions of dollars and 54 millions of dollars worth more than we exported, or an excess of imports over exports of about 75 per cent; in 1871 we imported 32 millions of dollars more than we exported, and in 1873, 54 millions of dollars more than we exported, with an aggregate export of $189,000,000 in those three years, but in 1892 with a vastly increased population, with a greater diversity of facilities through the Canadian Pacific Railway and the development of our canals, we are only able to import 20 millions of dollars more than we exported, and in 1891 we imported 28 millions of dollars more than we exported. Now, it is one of the principles of trade between nations that their trade is carried on by means of barter. There is no such thing as money passes between one nation and another. If we export, it is paid for by imports, if we import it of necessity calls for the production of labour from some source from the importing country to pay for it by exports, and the evidence of that can be seen by studying the statistics, seeing how much bullion we export, and how much we import, and which is only imported or exported in order to rectify the small balance that exists between the exporting and importing power. When we borrow money in England that money comes out to us in the shape of commodities. We floated a loan in England this year; I do not know whether it was ten or twelve and a half millions of dollars. The money that loan represents comes out to Canada in the shape of commodities, and swells our imports. Last year, through the Canadian Pacific Railway Company and the Government of Canada, we have increased the liability of the country by twenty-five millions of dollars by the sale of their stock and the sale of Canadian bonds. The value of that money will come out to us or whatever portion of it comes to Canada, will come in the shape of commodities, and should swell our imports to that extent. It does not come out in sovereigns, specie, or bullion. It comes out in material—it comes out in kind. Now, notwithstanding that we borrowed to that extent to the amount of twenty-five millions of dollars, while in 1873, 1872 and 1871, three years when we borrowed very little money indeed, the imports exceeded the exports by fifty-four millions of dollars, forty-six millions of dollars and thirty-two millions of dollars, respectively. We have to inquire how it is that those imports do not keep pace with our exports as they should do, in order to indicate the prosperity of the people. What is the reason of that? Well, the only reason that I have to give is the fact that the liabilities of the country have grown to that extent that the exports of the country are absorbed in order to pay the interest that we have to remit abroad to meet the interest on those liabilities, and that in consequence of the taxes, or, perhaps, I should say, the mode of taxation, the profits or the purchasing power of the people is reduced. There are the net earnings of eight millions of dollars for the Canadian Pacific Railway Company. There are nine millions of dollars a year interest to be remitted by the Canadian Government, and there is the interest on real estate loans which amounts to one hundred and six millions of dollars, the interest on which at five or six per cent will be five or six million dollars a year. These large items which can be supplemented by other items, such as municipal and other loans swell the amount to twenty-three millions of dollars a year. It is the necessity which rests on the people of Canada to remit that twenty-three millions of dollars every year, that changes the features of the imports and exports in the manner I have indicated. Now, if the country was prosperous—if we did not borrow money in order to develop its resources—which was the object we had in borrowing that money, and I for one do not find fault with the Government for borrowing that money or investing it in the manner they have done to give it to the Canadian Pacific Railway or to the public works and canals that are essential to our development and prosperity—I say they have acted wisely in bringing to completion those great works which stand to the credit of the country, but I do say when the money has been borrowed and those facilities have been afforded to us, the prosperity of the country can only be gauged by what we can export to the outside world and import from it over and above supplying our own necessities, and when we do borrow money in order to do that, we should be able to make a better showing than is now done. If a man borrows two thousand dollars on his farm, he does not borrow it for the purpose of merely spending that money or the pleasure of paying interest at five per cent or seven per cent as the case may be to somebody who lends it him, but he borrows it for the purpose of increasing the productive power of that farm. He hopes to be able to pay five or six per cent to the man who lends and make five or sir per cent in addition on the transaction. The statistics handed to us do not show that we are making that profit but they show that both the productive power, and the purchasing power of the people, has been restricted, notwithstanding our increased facilities. I believe, hon. gentlemen, it is the commercial policy of the country that is preventing the Maritime Provinces from increasing their exports and from maintaining the natural growth of their population, and the same policy is effecting every part of Canada in a like manner.

At six o'clock the debate was adjourned until to-morrow and the Senate adjourned.

THE SENATE.

Ottawa, Wednesday, February 1st, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayer and routine proceedings.

THE ADDRESS.

THE DEBATE CONTINUED.

The Order of the Day being read—

Resuming the adjourned debate on the consideration of His Excellency the Governor-General's speech, on the opening of the Third Session of the Seventh Parliament.

Hon. Mr. BOULTON—Hon. gentlemen, I concluded my remarks yesterday by saying that I believe it is the commercial policy of the country that is preventing the Maritime Provinces from increasing their exports and maintaining the natural growth of their population, and the same policy applies generally throughout Canada in the same manner. I notice that the hon. mover of the Address in the House of Commons, Mr. McInerney, referred particularly to the province of New Brunswick in order to justify the existence of the National Policy and convince the people of Canada of the prosperity of the Dominion, especially from New Brunswick. Now, I think he selected the most unfortunate province, in order to prove that case, that he could have found in the whole Dominion, because the census returns have shown us that the increase of population in the province of New Brunswick is absolutely *nil* in the past ten years; that is to say, every young man or young woman who has come to man's estate and woman's estate has left the country—that there is no natural increase there.

Hon. Mr. PROWSE—Are there no deaths here?

Hon. Mr. BOULTON—Well, we all hope that in a country like this the births will exceed the deaths. It is certainly not a good showing compared with the average of the world. India has increased 29,000,000, Great Britain, 2,000,000, the United States, 12,000,000 during the same period. He pointed out, however, that the industries of New Brunswick had nearly doubled in extent during the past ten years, and he pointed out that the number of operatives employed in manufactures in New Brunswick had increased from 19,000 to something like 26,000. Now, I find exactly the same fault with the census returns in New Brunswick that I pointed out yesterday in regard to the increase in the number of operatives. In the census return—I have it here, bulletin No. 8—in the province of New Brunswick there are put down as engaged in fish curing and canning 4,750 hands. When I refer to the statistics of 1881, I do not find those operatives engaged in those industries returned as a manufacturing population. Whether they are returned or not in some other form, I cannot say, but I cannot trace in the census returns operatives under that head, and therefore, there are 4,750 operatives in that list that would apparently account for the increase between 19,000 and 26,000, the figures he gave. I do not think that fishermen and fisherwomen who are engaged in drying, salting and putting fish into barrels should be classed as manufacturers; but they are so classed here, to the extent of 4,750, and therefore, the figures that were presented on that occasion I do not think are borne out or justified by the actual facts of the case. I would draw your attention, however, to what has taken place in the province of New Brunswick, so far as the last ten years are concerned, and so far as the industry of the people and their capacity to produce is concerned. The natural industry of the people of the Maritime Provinces, which they have inherited from generation to generation, and in which they display ability and knowledge, is the building of ships and boats, in order to get on the ocean and carry on the trade of fishing or trading with foreign ports. I find, on reference to the census returns, notwithstanding that knowledge and ability and the needs of the people of New Brunswick, that the population engaged in the building of those boats and those ships has decreased from 1,084 in 1881, to 500 in 1891, and those men, possibly, who have been engaged and who were able to build those ships for the benefit of the country in order to increase the carrying power and the maritime strength of the country, have been drawn from those industries to the manufacture of cotton, which is not one of those natural industries that our people are bred and reared to, not one which they understand and have the same capacity for.

Hon. Mr. KAULBACH—What proportion has that to the decrease in tonnage from '74 to '78 ?

Hon. Mr. BOULTON—That does not come under the question here, but so far as the decrease in tonnage is concerned, I may tell the hon. gentleman that the figures in connection with tonnage since 1868, are not to the credit of the country. There has been an actual decrease in registered tonnage of Canadian ships in the past twenty-four years. That the tonnage of vessels built or owned by Canadians has been gradually decreasing under the protective policy in 1878. Such tonnage amounted to 1,333,000 tons, in 1891, to 1,005,000 tons, gradually decreasing year by year. Then, again, I take the tanneries. The manufacture of leather is one of the natural industries of the country. We have hemlock tanbark, the natural facilities and the capacity for making good leather. The province of New Brunswick is situated upon the ocean. It can trade with the South American countries where the raw hides are drawn from. There is a market for leather to any extent. There is an open market in Great Britain for leather. It is a market free to the competition of the world, and England purchases annually, according to the British Board of Trade returns, $35,000,000 worth of leather, wholly or partially prepared. There is New Brunswick on the ocean, on the direct highway to enable her to transport that leather from her manufacturers to the open market in Great Britain; but what is actually the result of the case in the last ten years, so far as the industry in question is concerned? The people engaged in the tanneries of New Brunswick have been reduced from 355 to 249 employees. Now, that is not a very creditable showing for the commercial prosperity or the manufacturing power and ability of the people of New Brunswick, when the natural facilities are at their disposal to increase their employment in the tanneries, treble or tenfold, instead of presenting to the country an actual reduction, it is not their fault, it is the fault of the commercial policy which holds them down. Then take the saw-mills of the province; I find a reduction in the number of men engaged in the saw-mills from 7,167 to 6,821. So far as the manufacture of boots and shoes is concerned, I do not know what factories there are in New Brunswick, but the number of establishments is set down at 337 and the employees at 809. I think they must be mostly shoemakers' shops. I see by the figures of the census of 1881, that the number of employees engaged in those trades was 911, so that in the ordinary shoemakers' shops there has been absolutely a decrease in the number of the employees working at those trades. Now, when those figures are presented to us in that way, when it is shown that the natural industries of Canada, the products which the people of this country are capable of preparing for export, that there is a decrease in the power of the people to export and a decrease in the number of operatives at work in those industries, no one can put forward statistics and claim for New Brunswick that there is the prosperity in that province that we are led to expect. I would apply another test to the same position and that is. I have divided the number of operatives in the province of New Brunswick into three heads. I have taken those men who are engaged in preparing our own raw material for the market and those who prepare raw material imported for manufacturers—all the natural industries, boat-building, ship-building, fish curing and canning, bakeries and confectioneries, &c., natural to the country—and I find that there are 18,000 operatives in New Brunswick engaged in preparing the raw material of the province for the market at home as well as for export to the markets abroad. 18,000 operatives are engaged in the manufacture of our own raw material, and only 3,572 are engaged in the manufacture of imported raw material; those men engaged in the manufacture of cotton and woollen goods, sugar refining, tanneries—all these industries put together, only employ in New Brunswick 3,500 hands, while there are 18,000 engaged in preparing the raw material of the country, in cutting up saw-logs, sawing them into lumber, building boats, &c. Now, I would ask you candidly to apply your intelligence to this broad fact: What protection is there necessary or needful to the people of New Brunswick or Canada in order to enable them to manufacture their lumber and sell it for a good price? What protection is there needed to do that? Will not free trade—that is, will not the remission of all duty on everything that enters into the industries of the people engaged in saw-mills, grist-mills, tanneries and industries of that kind conduce to a more economical working up of our own material? My hon. friend here on my left smiles at that position, but I say there is not a shadow of doubt about it that taxation as levied under our protective policy is taxation on the industry and labour of the people of Canada and its prosperity, and if you lift taxation off the labour and industry of the people you release them from a bond binding them down and preventing them increasing their numbers and consequently their exports, and you would enable them to work under more economical conditions at home, and in consequence of that when they come to purchase they can purchase more largely abroad what they require for their comfort and use. It cannot be denied by any single member of this House that the manufacturers and the people engaged in those industries that are returned in this bulletin, No. 8, no matter what class of manufactory it may be, must be benefited by removing the protective taxation from those industries and placing it elsewhere. Now, that is what I call free trade. I am frequently met with the query, would you destroy all the capital invested in our manufactures? I can say this, with the utmost confidence, that if any manufacturer is afraid of the competition he would be subjected to under such a policy, there will be plenty of capital forthcoming to purchase out his interest at a handsome advance, removing the burden of taxation from the shoulders of the labourer and from the shoulders of the industries of the country, and placing it upon shoulders that can better afford to pay it, putting the labouring population in a position to create better results for the country generally. That is my interpretation of the benefit of free trade. My interpretation of protection is: when the revenue is so placed that it protects industries and enables the employers to charge for their products a much higher price than they could obtain in open competition, reverse the conditions and British capital and American capital will flow in to take advantage of the economic condition of Canada to manufacture for the world's market. The consequence of our present policy is to hold down the country and prevent the successful extension of its industries and manufactures, and when we see in the province of New Brunswick that there are 18,000 operatives working to produce and prepare raw material of the province for export to the outside world, or for consumption at home, while only 3,500 are engaged in the manufacture of raw material brought from abroad. I say those 18,000 men that are engaged in preparing our own raw material for market are held down for the assumed benefit to 3,500 operatives, brought into existence by artificial legislation, who will, however, themselves be benefited by a changed condition of taxation. It is a knowledge of that fact that has caused me to take up the question so warmly in the interests of the people of Canada, that greater prosperity, greater growth and development in the magnificent resources at our disposal shall take place in the next decade than in the past, because all the figures brought forward to prove the prosperity of the people and the growth of the country do not show that the National Policy has effected the purposes for which it was intended. I do not allow for one moment that the National Policy was imposed merely to create the wealth of individuals in the country, but rather to benefit the country at large, to keep its population at home and to bring people from abroad and increase the national progress of Canada, but I say that the figures presented to us by these returns do not show that that has been the case. So far as the question of our importations is concerned, I would just refer again to the purchasing power of exports as compared with the purchasing power of these importations in the earlier period of our history. As I pointed out yesterday, in 1871, '72 and '73 the importations were 75 per cent higher than the exports—that is to say, we imported 75 per cent more than we exported. To that extent the general wealth of the country was increased, while in '92 that condition has not been maintained. While the increase in our exports has been $10,000,000 in the last year, there has only been an increase in our imports of $3,000,000. Now, what I say is that that shows a decrease in the purchasing power of the people of Canada. If it shows anything it shows that they are not able to purchase, for some cause or other, by $7,000,000 in proportion to the amount that they exported. As I stated yesterday, the exports and imports go backwards and forwards purely in the shape of commodities. No gold passes between nations. The whole bulk of the trade of Canada is carried on by the movement of about 1½ per cent in bullion to regulate it, and therefore, if there is a deficiency in the imports year after year, it shows that the country is not prospering so far as the value of the exports is concerned. And it is necessary for us to think that question out; it is necessary for us to realize the economic position I have presented for your consideration. It is not every one who can realize it at once, but it is right that we should apply these facts and figures, in order to see what path we are treading. I stated yesterday that we borrowed $25,000,000 through the Canadian Pacific Railway and the Canadian Government. That $25,000,000 comes back to us in the shape of commodities; it does not come back in gold. We have added that amount to the liabilities of the Dominion, and the trade of the country has to earn the money to remit the interest annually upon those amounts, and the actual bulk of those amounts comes to us in the shape of importations. Now, notwithstanding the fact that that liability has been added to the indebtedness of the country, notwithstanding the fact that we had borrowed that money, yet the fact presents itself to us through the statistics, that we have only increased our imports by $3,000,000, while we have increased our exports by $10,000,000. If we go on at that rate, what is the next ten years going to bring us to?

Hon. Mr. HOWLAN—Wealth.

Hon. Mr. ANGERS—We would hold the gold of the world.

Hon. Mr. BOULTON—There is no gold in the world. The amount of gold in proportion to the volume of trade is nothing at all—only about five or six per cent of the whole trade of the world. There is no such thing as gold passing between nations excepting merely to balance the accounts, the same as the clearing-house in New York or in London will find it necessary to balance probably transactions amounting to 20, 30 or 40,000,000 pounds with a cheque for three or four hundred thousand pounds. The gold is merely used to rectify the balance and to provide for the currency of the people at home—the great trade of the world is carried on by barter, and I would ask my hon. friend, can we live on gold? Must we not export it again? Gold is only a measure of value. If hon. gentlemen will look into that matter they will find that I am correct—that if the importing power of the people is decreasing, their wealth is diminishing.

Hon. Mr. McMILLAN—But their exporting power must be increasing.

Hon. Mr. BOULTON—No, if you do not get back something for those exports you are getting poorer. I showed yesterday that through the Canadian Pacific Railway there was eight millions of dollars in net earnings that had to be remitted abroad, that the Dominion Government have to remit nine millions of dollars interest on the public debt and there is interest on 106 millions of dollars of loans upon real estate, shown at present by our statistics and that interest has to be also remitted. These sums amount altogether to between 22 and 23 millions of dollars. Now, the exports which go to Europe or to the United States are absorbed in order to pay that 23 millions of dollars which has to be earned out of the trade and industry of the country. If we increase that to 40 or 50 millions of dollars, of course we are going to labour under so much more difficulty, unless there is a corresponding increase in the labour that is brought into the country to create the wealth in order to produce that exporting power and when we have brought that labour into the country our commercial policy must be so framed that the people will make a fair profit out of their labour after having helped to contribute to the payment of this debt for Canada. I think that is as clear as—

Hon. Mr. HOWLAN—Mud.

Hon. Mr. BOULTON—As clear as anything can be, although it may be still muddy in my hon. friend's mind. Of the exports from Canada, the result of the labour of our people, 23 millions of dollars is absorbed in order to meet the interest that we have to send abroad. I should like to ask hon. gentlemen from what other source that 23 millions of dollars is to be paid to meet the annual liability, if it does not come out of our exports? Our power to import is reduced exactly by the amount we have to remit in the shape of that indebtedness. When we borrow we hope to make a profit upon that borrowing. We have built the Canadian Pacific Railway. It extends for six thousand miles through the various parts of Canada and where are the evidences in our exporting and importing power that the people of Canada are reaping that profit out of the liabilities they have incurred? That is what I want to ask and the only evidence of that, that can be shown to us, is by an increase in population and an increase of the exporting power of Canada. Now, I want the hon. gentlemen who do not agree with me in my facts and figures to show me in what way this is to be brought about, if the present attitude of affairs has not produced it? If our present protective policy has failed to realize that result for us, what policy should we pursue in order to rectify that unfortunate state of affairs, because I say it is an unfortunate state of affairs. If a man borrows on his farm, we will say $2,000 to increase the productive power of that farm unless he can increase the productive power of that farm and make it pay the interest and capital, he will find that his farm will at some future time go to the mortgagee and he is going to be left without his home. He has got to see for himself how he is going to pay off that mortgage and save his home for his family, and it is that problem that we have to sit down and solve for the people of Canada, or I believe they will lose their heritage and birthright if we do not pursue a more intelligent policy than the practical evidence that has been brought to our minds by the statistical returns furnished to us.

Hon. Mr. KAULBACH—My hon. friend explains that that can be done by purchasing more and selling less.

Hon. Mr. BOULTON—You do not buy more. You get for your $100,000,000 of export $150,000,000 of imports. You are getting a higher price, that is all. It is a mistake to think you are buying more—you are getting a higher price for the articles you have to sell, whether it is cattle, wheat or anything else.

Hon. Mr. COCHRANE—According to the hon. gentleman's argument, if a farm produces two or three thousand dollars a year, and the farmer only wants to buy a thousand dollars, he is getting poorer instead of richer. In other words, if his farm produces three thousand dollars he has got to buy to that value or more to make money —that is the hon. gentleman's argument.

Hon. Mr. BOULTON—No. What I say is this, if a farmer's output every year from his farm is $2,000, and he borrows $2,000 on that farm, his purchasing power is reduced to the extent of the interest he has to pay for that. We will assume that it is eight per cent interest. His purchasing power is reduced by the $160 interest he has to remit. Now, he wants to show that that $2,000 is going to produce enough for him after he has expended it on his farm in order to reduce the cost of labour or to drain it, or something of that sort—he wants to be able to show that the farm is going to produce as much as the $2,000 a year before, plus teh interest and plus a profit upon the borrowing. That is the way I put it. It is not that he is going to buy less, but that farmer wants to realize that that $2,000 which was the productive power of his farm before he borrowed is still the same, plus the interest he has to pay. If he has to reduce the comforts of his family by the $160 a year interest—if he has to take it out of the $2,000 income, then he is impoverishing his family by borrowing that money, but if he is still able to maintain the comfort of his family by the $2,000, plus the interest he has to remit, and possibly some advantages through borrowing that money—that is the position I would present to my hon. friend. I think if you will apply that simple argument to the whole of the Dominion and consider that we are one family and that our Canadian home is a large family, you will have some light thrown on the great question I am bringing before this honourable House—the question of the alteration of our commercial policy for the benefit of the people of Canada. Our hon. leader is half-way to that very free trade policy that

I am arguing for. In a speech that he made in Toronto during the public meeting of the Conservative Association he used the words protection to the people as the result of the remission of taxes—that is to say, he claimed that he had remitted certain taxes and by that explained he had protected the people or industry that were receiving the benefit of that remission.

Hon. Mr. BOWELL—No.

Hon. Mr. BOULTON—No, I will read your words, sir, uttered in Toronto. "Next we come to the article of tin which is used in the manufacture of almost every article used in the household and by the repeal of that duty gave an additional protection to the fish and fruit canning industry." Now, that is what I call free trade. He remitted the taxes on tin in order to benefit those interested in the fish and fruit canning industry.

Hon. Mr. BOWELL—The hon. gentleman has it quite correct in the quotation which he has made, but he must be reminded that in Canada we could afford to take the duty off raw material thereby giving additional protection to the canners.

Hon. Mr. BOULTON—That I thoroughly understand. That is the protective argument, but if the remission of the duty on tin is going to be a protection to the people who carry on the business of canning, why is not the remission of the duty on binding twine going to be a protection to farmers, or the remission of the duty on anything at all going to be a protection to the people of Canada at large?

Hon. Mr. GLASIER—Why do you take binding twine in particular?

Hon. Mr. BOULTON—Binding twine is a very serious impost on the people of Manitoba.

Hon. Mr. GLASIER—Why does the hon. gentleman select the province of New Brunswick as an illustration for his argument? How are you going to raise the revenue?

Hon. Mr. BOULTON—I will reply to the question of revenue in its proper place. I did not mean to give any offence by selecting the province of New Brunswick. I was correcting the figures that were brought forward by the hon. gentleman in the House of Commons from New Brunswick to whom I have already alluded, and I wish to point out to this House the necessity to the people of New Brunswick, the necessity for a change in the commercial policy of the country—that if they adopt a different commercial policy, in conjunction with the rest of the country, there will be a very different showing in ten years from now in the statistics referring to their province. It is in the interests of New Brunswick and in the interests of Canada generally that I am speaking, and not in the interests of any one province or any one section of the country. I wish to point out that the hon. the leader of this House himself has taken the broad ground that by the remission of the duty on tin he was thereby protecting the fishing and canning industry. And how have we protected the fishing industry? By taking off the duty on rope and the duty on twine used for nets, that is how we are protecting the fishing industry. If it is wise in the interests of the fishermen to take the duty off rope and off twine, then why is it not in the interest of every industry of the country engaged in the preparation of raw material for export abroad, that all the duties should be remitted, and reimpose the taxation on the country in a manner which would not press upon the labour and industry of the country. That is the broad position I take.

Hon. Mr. CLEMOW—Direct taxation.

Hon. Mr. BOULTON—Not one single penny of direct taxation is necessary, and if hon. gentlemen are anxious to hear a little more about the revenue, I am quite prepared to introduce that branch of the subject at this particular moment, I would refer to the duty on coal oil. Well, sir, we consume in Canada 15,000,000 gallons of coal oil yearly, and we pay a duty on the imported coal oil which amounts to about 5,000,000, or about eight or nine cents a gallon, but in consequence of the imposition of that duty, it costs the people so much more to purchase the coal oil produced in the country, and I say, hon. gentlemen, that it can be shown fairly that the cost to the people of Canada upon the purchase of 15,000,000 gallons of coal oil is about $1,400,000 more than if the markets were open, and if we were able to purchase it free to the competition of the world. In a free market, Russia might send us coal oil, and compete with the United States, while she could not afford to send it to a protected market. Ask yourselves what you pay for it in your own homes, and realize the price the imported article is delivered at our boundary for, namely, 8½ cents per gallon, and you will be able to prove yourselves that my figures are correct. The Government, however, only get the benefit out of that $1,400,000, of about $425,000. That is all the benefits the revenue gets from the coal oil. I think you will admit that if the free import of tea can be considered a free breakfast table, the free importation of coal oil would form what might be called a free tea table, as coal oil is necessary to light our tea table and both these articles can be put on a par with each other. Except in this, that coal oil is the light used by the labouring classes, electric light and gas being used by the wealthier classes, and to that extent it is unequal in its imposition, and partakes of the character of the window tax that Great Britain found it necessary to impose in the days of protection, a century ago. Now, hon. gentlemen, what is the condition of the tea trade? I think it was stated yesterday that we import twenty-two million pounds of tea from abroad, consumed in the country and the placing of a tax of six cents per pound, one penny less than the English people have to pay, will raise the revenues by the handsome sum of 1,300,000 dollars, every penny of which goes into the Government treasury. Now, there is one way in which a revenue can be raised without increasing the taxation of the people one dollar. The people are taxed, as I showed you, upon the total consumption of coal oil a sum of one million four hundred thousand dollars, of which the revenue only gets the benefit of four hundred and twenty-five thousand dollars. Now, Sir, it would not be necessary to put one penny more on the burdens of the people, but by placing the tax on tea and taking it off coal oil the treasury would get the benefit of nearly one million dollars. It is only applying that principle throughout in your taxation, taking it off all those articles which permit or allow any individual in the country, in consequence of that duty, to charge a higher price than if the article was open to the competition of the world. This would give the importers and purchasers of the country the fullest benefit of being able to purchase their supplies in the cheapest market and by accomplishing that result, you will then find that the productive power of the country will increase by leaps and bounds as it did when Great Britain reversed her commercial policy in 1846, but hon. gentlemen, as I have introduced a resolution which will deal with these questions, and which will come up for discussion within a week or ten days, it is not necessary to go fully into these details at the present time as I may test the patience of hon. gentlemen too severely. I can thoroughly realize that when I am presenting facts and figures that are unanswerable and which cannot be refuted, I certainly rouse an irritation in the minds of some of those hon. gentlemen who are touched a little in the raw in consequence of the truthfulness and force of these facts and figures, and thereby it gives me a little encouragement to see some signs of discontent and irritation. As long as a man proves nothing, nobody is offended and everybody feels satisfied, but begin to prove your arguments and you see——

Hon. Mr. READ—Go on, you are not hurting anybody.

Hon. Mr. BOULTON—This is a free country and you should not harry any man's cattle. Now, hon. gentlemen, His Excellency in his speech at the opening of this Parliament is pleased to refer to the revenues of the country. So far as the revenues are concerned, I have touched upon that question slightly and will not refer to it again, but I certainly think that the Minister of Railways is to be congratulated upon the fact that he has proved to the country his ability to manage the Intercolonial Railway upon a business basis. Instead of the management costing five or six hundred thousand dollars over and above the running expenses, he has brought the management of that road up until it is now nearly paying the running expenses. I say it is a matter for great congratulation to the people of Canada that we have the intelligence and ability to manage our public works upon a business basis, and not upon a political basis. I would point out that this means a clear saving of 600 thousand dollars to the revenue of Canada. I might say that our public works cost us four millions annually to run, while we only get a revenue of three millions, that is to say, our public canals and those railways managed by the Government are an actual loss to the country of one million dollars a year in its revenue. I certainly think that those people who make use of the canals and of the railways should be able to bear the burden, at any rate, of paying the running expenses. Without taking into consideration at all the question of the value of these roads, so far as capital is concerned, I think that the wheat that passes through our canals should pay the expenses of moving it through. That would be only managing our canals and railways on a business basis, and the Minister of Railways, as I said before, is to be congratulated that he has proved to the country that this can be done so far as the Intercolonial is concerned. I regret to have seen a reference in the public press to the effect that it is possible that this road may be handed over to the Canadian Pacific Railway Company, who have, it is true, shown their capacity to manage their own line upon a thoroughly business basis. It has been urged that it would be better to transfer to this Company this incubus as it has been described, which has hitherto been costing the country about 600 thousand dollars a year, but I say, hon. gentlemen, that we would not be doing our duty to the country if we allowed such a valuable asset, the first cost of which was 40 or 50 millions of dollars, to pass out of the hands of the country. If we were to adopt a different commercial policy and thereby build up the Maritime Provinces and the province of Quebec, and the industry, and trade of the whole country, you would find that the first cost of this road, forty or fifty millions of dollars would be returned to the treasury of the country, within ten years, either by making it productive ourselves or finding a company which would purchase it from the Government, and instead of having cost the country forty or fifty millions of dollars of the people's money by adopting a different policy and improving and increasing the trade of the country, you will make this road a valuable asset. I say it would be most unwise for us to take any such step as to give up that road, and to part with the franchise by which this valuable asset is created simply because we have failed to manage the road upon a business basis in the past. For that reason alone the hon. the Minister of Railways is to be congratulated in the effort he has put forth and the success with which he has met in proving to the country, that the road can be made to pay, and that it is not necessary to make this road a free gift to any corporation because it is an incubus.

Hon. Mr. McINNES (B.C.)—Is that shown by his last annual report?

Hon. Mr. BOULTON—I understand that is the fact, but I am simply going by what I see in the public press. I understand that the deficit has been reduced to seven thousand dollars.

Hon. Mr. POIRIER—Does that include the deficit of the Prince Edward Island Railway?

Hon. Mr. BOULTON—I do not think so—merely the Intercolonial Railway. However, the facts and figures will, I presume, be presented when the report for 1893 comes down. The hon. the leader of the House referred in his speech in Toronto to the fact that Canada has expended her treasure in the development of these resources, in the construction of the Canadian Pacific Railway and the construction of the Intercolonial Railway, and the construction of our canals. Well, hon. gentlemen, I take issue with him in that statement. We have borrowed money which has still to be paid back, we have not expended one single dollar of our own, but we have borrowed to build the Canadian Pacific Railway, and to build the canals and all the other public works, and every dollar of that debt is still upon us, and we have increased that debt by $3,000,000 in the past year. The debt of the Intercolonial Railway is still upon us and it is not the treasure of Canada that has been poured out but the credit of Canada that has been pledged to construct these public works. What we want to look forward to, is to try to arrive at a policy that will give us the power to meet these liabilities and wipe them off in the course of time, and to meet the annual interest without burdening the trade and industry of the country at all. That is what we have to apply our minds to. It is not that we have expended our treasure, but we have borrowed and the country has to pay the annual interest and this has to be met out of the industry and trade of the country. For that reason, I say the day may not be far distant when that Intercolonial

Railway may possibly be given up as a Government work, if advisable, but given up only by getting business men to take possession of it and pay us back the original cost of that railroad. A clause in the Address says "that during the recess a friendly conference took place between the Government of Canada and the Government of Newfoundland." We had an interesting discussion on Newfoundland matters in this House last year, and it is a matter of congratulation, I think, to the whole country, that the differences and difficulties that did exist between the people of Newfoundland and ourselves have been so happily adjusted or are in process of adjustment as His Excellency in his speech to this House has shown them to be. So far as Newfoundland is concerned, of course, nothing would give greater pleasure or satisfaction to the Canadian people than to find that they were prepared to unite their forces with us and that we were in a position to make such satisfactory terms with the people of Newfoundland as would enable them to do so. I may also congratulate the late Minister of Customs on the vigorous efforts he put forth to stop the smuggling in the Gulf of St. Lawrence, that was shown to have existed there by the reports produced in this House last year, quotations from which were read. At the same time there is a great deal to be done in that direction still. It is an evil, an injustice to the country that smuggling should be permitted to exist, and that it does exist there, I think, was clearly proved by the operations of last summer. I would draw the attention of the House and of the leader of the Government to the fact that smuggling is to a certain extent helped and assisted in a manner by the fines which are given to officials. It is quite possible under the present policy of dividing the fines with the officials for discovering the smuggled goods, to bring from the United States distilleries as well as from the Islands of St. Pierre and Miquelon, a quantity of liquor free of duty, and permit it to be seized, and the informer and the man who smuggles can thus divide the profits evenly and still leave a sufficient sum to pay for the whole cost of the voyage. If I am correct in that statement, I say that condition of affairs should be stopped and no premium should be offered to the officials of the country to leave room for suspicion that such a thing can be done.

Hon. Mr. DEVER—How can that be stopped without lowering the duty?

Hon. Mr. BOULTON—That is the only way it can be done.

Hon. Mr. McMILLAN—You would take off the duty entirely?

Hon. Mr. BOULTON—No. I would not take the duty off spirits. I am speaking now of our public servants. It is an injustice to them to put temptation in their way, and an injustice to the country if such a system prevails as would enable those officials to do such a thing as I have described. It is to be hoped that the same vigour will be used in checking smuggling into the country as the late Minister of Customs put forth. As the hon. gentleman opposite has said, free trade will remedy that by confining smuggling to spirits and wines and luxuries only.

Hon. Mr. READ—Not free trade in whiskey?

Hon. Mr. BOULTON—I was going to say that if we did adopt free trade as my hon. friend very properly says, not free trade in whiskey, therefore, as long as the duties remain on the spirits that same disposition to smuggle will prevail.

Hon. Mr. READ—I think the hon. gentleman is getting towards direct taxation very nearly.

Hon. Mr. BOWELL—He is there already.

Hon. Mr. BOULTON—There is one important question which received no attention from His Excellency, and that is the Manitoba school question, which has created a great deal of interest in the country. It was referred to by the hon. seconder of this Address. He said that while he was anxious to see the country prosper, and its development go on—to see the great West built up, he hoped the people there would act in a liberal manner in their legislation. That, I take it, was a reference to the school question. Now, I entertain my own views with regard to that matter—a view, perhaps, that many might expect me to differ in. Personally, as a private citizen, I believe that if our

Roman Catholic fellow-countrymen desire to educate their children apart they should be permitted to apply their taxes to that purpose, until they themselves realized the advantages of public education. But of course, the question that comes before us here is a constitutional one, and it is from the broader stand-point we have to judge it. So far as the liberality of the people of Manitoba is concerned I do not think that it can be questioned. They did not pass their school law for the purpose of injuring any of their fellow citizens. They are peculiarly placed. Their population is very sparse. Every man owns from one hundred and sixty to three hundred and twenty acres of land, the odd sections are vacant and the distances between houses is great, in consequence; the object of the school law was to reduce the burden of taxation to the lowest limit and enable the people to educate their children, by making ratepayers of all denominations to contribute alike. At the same time, they have altered the law upon which school matters rest and created what is called a national system of education. That is to say, that all education will be under the state, but without separating religion from education. Well, that is an experiment they are trying, which may not last for all time or may be perpetual. Roman Catholics of New Brunswick petitioned against a similar law. They expressed a desire to retain the separate schools and petitioned against the legislation of the local legislature, which, however, was declared to be constitutional. You do not hear Roman Catholics of New Brunswick now expressing any desire to change the present system. The people of Manitoba, said if that is the case in New Brunswick, it is quite possible that the experiment may produce beneficial results to the whole population in our province, and in the end all may unite in admitting that it is the best way. If, on the other hand our French Canadian fellow-countrymen feel that it is an injustice to them, all they have to do is to press the matter in local contests and attract their fellow-countrymen from the province of Quebec to help them and in that way without any aid from the central Government they will be able to accomplish all that they desire in a constitutional and self-reliant way. It would be very unwise for the Government at Ottawa to attempt to restrict the power of the people of Manitoba to legislate in their own school matters as they see best for themselves. It would be most unwise for us to interfere with the constitutional liberty of the provinces, as they exist or new provinces as they may exist in the future. The constitutional liberty of the people of Canada is the dearest heritage that we can hand down unimpaired to future generations. Constitutional precedent is the principle on which our constitutions are based and we should be cautious how we establish any precedent which may be construed in the future as a restriction of the liberties of the people to carry out the Canadian Confederation and to build up a Canadian nationality on this continent on the safe and sound principles of constitutional liberty in every part. That is my view of the position so far as the school question is concerned. I recognize the fact that in 1869, before the North-west country was transferred to Canada by the British Crown, there was an uprising of the people in the Red River settlement because their rights had not been adjudicated upon before the country was transferred. A delegation was invited from Manitoba to visit Ottawa and arrange the terms upon which the province should be added to the Confederation. The delegation had a conference with the Government and the result was that a small province, I believe only sixty miles from north to south and one hundred from east to west was created, and I believe it was the intention of the Government at that time and of the delegation that interviewed the Government, to erect such barriers that the existing population there would be protected in the same manner of conducting their schools as had prevailed before Canada assumed control of that country. I believe that was fairly and honestly the intention between the two parties—that the one desired and the other intended to convey it. However, an appeal to the highest constitutional authority in the Empire has decided that so far as the province of Manitoba itself is concerned, it possesses a perfectly constitutional right to legislate on school matters in accordance with the views of the majority of the people. Therefore, if it is still felt by our Roman Catholic fellow-countrymen in the province of Manitoba that an injustice has been done them by the legislation, to the extent that they may be deprived of public money by that legislation in the separate school in those settlements that existed at the time that this compact was made, to that extent the Dominion Parliament could justly be asked to assist financially in order to place them in no worse position than they would have been had the action of the Manitoba Legislature not deprived them of the financial benefit of separate schools. To that extent I think justice should go, but the very fact that that compact was entered into in 1870, between the delegates from Manitoba and the general Government—the fact that they went back, and the bargain made at that time referred only to that small tract of country which confined the existing settlement of 1870, shows that there was no intention and no desire on the part of the delegates or on the part of the general Government to make any compact that would be binding upon the development of that great territory and upon the people who might occupy it in the future. To that extent, I think it would be wise for us to review the matter. The people of Manitoba would be as desirous of doing justice to their French Canadian fellow-countrymen and to extend to them as warm a welcome as settlers as they could desire, for that reason I think it would be most unwise for us to do anything that would impair the liberty of the people, whether it should establish a precedent that is likely to impair the rights of the provinces as they exist or of the new provinces to be created hereafter. For that reason and to that extent I sympathize with remarks made by the hon. seconder of this Address in regard to this question, but I can assure him that there is no desire or intention on the part of the people of Manitoba, from my knowledge of them, to be in the least degree illiberal or unjust to their fellow-countrymen in the matter of separate schools. There is one more reference that is made here that I should like to deal with and that is the following :—

> We are also gratified to hear that in Manitoba and the North-west Territories the increase in immigration has been decidedly encouraging, both as regards the number of persons who have come from other countries and as regards the number of homestead entries made by settlers of all nationalities.

Now, it is a matter of congratulation to those that live there and to the country generally, to feel that the increase of population is progressing satisfactorily in our waste territory—that those homesteads are being taken up. I live there, and I feel that it is quite as important to keep those people on their homesteads, after we have got them there, as it is to put forth exertion to bring them to our country. Our conditions are such that they are not all being kept there. The trade policy of the country is pressing upon them and the heavy freight rates to which we are subject in bringing our produce to market is burdensome. Our ability to produce is being checked and the country is being weighed down by those two burdens. I would read to you some verses that were put into my hand, which perhaps may be out of place here, but as they are more eloquent than any words I can give you to show the feeling that does exist among many of those who have to produce from the soil, and find a market for their produce by exporting it through the ports of Canada to the markets of world. The following is the sentiment of a settler who has been there seventeen years, and is conveyed to this honourable House as it was conveyed to me :—

Will you walk into my country, says the bright Canadian fly,
'Tis the very finest country you ever yet did spy,
We'll give you land for nothing, don't even ask a rent,
But from everything you buy here we've twenty-five per cent.

You see we've got a family and so we must be doing,
And tho' we do our level best we cannot keep them going,
With salaries and subsidies, interest on money lent,
Even then it does not seem to do on twenty-five per cent.

Our eldest boy, "a darling," we christened him N. P.,
His constitution's undermined, or so it seems to me;
We've fed him upon luxuries to a terrible extent,
But still it does not keep him up this twenty-five per cent.

We swathed him up in cotton, a most tremendous coil,
We gave him steel and iron and rubbed him with coal oil.
He has been taking boodle drops as an emolient,
But nothing seems to keep him up, e'en twenty-five per cent.

We let him play with implements and many other toys,
Electric light and telephone, that pleases other boys;
But spite of all that we can do, he does not seem content,
He grumbles, grumbles, for still more than twenty-five per cent.

I'm afraid we'll lose that baby; we cannot keep him here,
We must submit to Providence, tho' he is so very dear;
You see he cannot walk alone tho' fourteen years he's spent;
He seemingly needs more support than twenty-five per cent.

Our other boy, "a whopper," we called him C. P. R.,
Tho' weak at first, he's stronger now, and beats the other far,
Has a stomach like an ostrich, his health is excellent,
He's thriving like a mushroom, upon twenty-five per cent.

It takes a lot to keep him up, with coronets for tiles,
His suits they take a lot of stuff to clothe 6,000 miles,
He eats up all he comes across, does this voracious gent;
He takes a branch line for his lunch, "sauce" twenty-five per cent.

In fact he's grown so very strong, we dare not say him nay,
For fear he kicks us out of doors some bitterly cold day,
He has us all upon a string, we go where we are sent,
He'll gulp the lot, he will not leave even twenty-five per cent.

You say you don't believe it, you think this can't be true,
There's parliamentary papers for't. Indeed 'tis nothing new,
The thing has lasted fourteen years, and millions have been spent,
Upon these infant industries, at twenty-five per cent.

How long will you folks stand this? How long is't going to last?
The census shows it will not do, by the ten years that are past.
The young men are all leaving us, they can't find aliment,
It sucks the country's life blood out, this twenty-five per cent.

Now, that is a message from a settler in the North-west and I think, as I said before, that it is more convincing and certainly more entertaining than any remarks I can make or continue to make before this honourable house.

Hon. Mr. BOWELL—Surely the name of the author should be handed down to posterity.

Hon. Mr. BOULTON—We may want him to produce something more of the same character.

Hon. Mr. KAULBACH—Does my hon. friend father that?

Hon. Mr. DEVER—He need not be ashamed of it.

Hon. Mr. BOULTON—I could not begin to express anything so eloquent as he has expressed in this poem.

Hon. Mr. KAULBACH—And truthful too, I suppose.

Hon. Mr. BOULTON—Yes, and truthful too. We are producing up there our grain and crops and we are selling them to the outside world—that is to say the surplus that we do not want at home and the people who are alongside of me—and I suppose it is general throughout the country, are selling oats for which we only get 13 cents a bushel this year and the Canadian Pacific Railway is charging 20 cents for carrying them to market. We get on an average 25 to 50 cents for wheat and the Canadian Pacific Railway charges 30 cents per bushel for carrying the same to market.

Hon. Mr. COCHRANE—30 cents per 100 pounds.

Hon. Mr. BOULTON—No, 50 cents per 100 pounds.

Hon. Mr. COCHRANE—I think the hon. gentleman is mistaken about the freight rates—it is 30 cents a 100, I understand.

Hon. Mr. BOULTON—No, it is 50 cents a 100.

Hon. Mr. COCHRANE—I had it from Mr. White, the superintendent, the other day.

Hon. Mr. BOULTON—I have given the regular rate. The rate the hon. gentleman cites is to Fort William. It is facts like these that press upon the people of the country. How does the 25 per cent come in so far as the National Policy is concerned.

Hon. Mr. READ (Quinté)—Do I understand the hon. gentleman to say that the Canadian Pacific Railway Company charged 20 cents for 34 pounds of oats to take the grain to market?

Hon. Mr. BOULTON—Yes, and all that it is selling for in my neighbourhood is 13 cents per bushel and I can give you other facts and figures about the rates.

Hon. Mr. MacINNES (Burlington)—From what point is the hon. gentleman quoting rates?

Hon. Mr. BOULTON—Well, the place I speak of is where I live, 275 miles north-west of Winnipeg on the Manitoba and Northwestern Railway.

Hon. Mr. MacINNES (Burlington)—To where?

Hon. Mr. BOULTON—To Montreal.

Hon. Mr. SMITH—Does the hon. gentleman know that oats have been sold in Ontario for 12½ cents?

Hon. Mr. BOULTON—Yes, but not in our time.

Hon. Mr. SMITH—So, it would go by in the North-west also?

Hon. Mr. McMILLAN—What would they be worth if you had not the Canadian Pacific Railway?

Hon. Mr. BOULTON—We would not be there, but since we have gone there the people who live in that country have a right to come down here and tell what is pressing on them and see if a remedy can be applied in some manner or other. We know perfectly well by the published reports what the earnings of the Canadian Pacific Railway amount to and we want to see that the tariff that realizes these dividends should be imposed in an equitable manner, and that they should not exceed the legitimate profits of capital, to assist the people of this country instead of impoverishing them so that they cannot make fair headway. Many of them become disappointed and some of them do move from one point to another.

Hon. Mr. McINNES (B.C.)—Will the hon. gentleman inform the House what the Canadian Pacific Railway charges are per 100 on wheat from St. Paul or Minneapolis to Montreal?

Hon. Mr. BOULTON—No, I cannot inform the hon. gentleman what those rates are, but I have asked for certain papers with regard to the Canadian Pacific Railway and the increase of its capital stock, and I propose to try and deal with the rates as they are presented there, in order to show that there is an injustice in that free country that is so thoroughly dependent upon railway communication. Recollect, we have no water communication, we are without competition, and we are entirely dependent upon railway communication, chiefly furnished by the Canadian Pacific Railway. We want to see that railway communication managed so that something like justice will be done to the people who are pursuing their industry in that western country for the benefit of themselves and the country at large. If they are borne down by heavy taxation through Government sources, if they are borne down by excessive rates charged by the Canadian Pacific Railway Company, it will certainly retard the development of that magnificent country for an indefinite period, to the detriment of Canada. So far as the taxation of the Government is concerned, what is the actual condition? It is this: If we send out ten millions of produce, what do we get back to pay us for it? We do not get back money, hon. gentlemen, as I explained before. It comes back to us in the sugar, in the cotton, in the coal oil, in the nails and the iron, and in every single thing required for the use of the people of the west. And when it comes back to us it comes back with 25 per cent for the duties added to the cost, and we only get back in the export of $10,000,000 worth of produce from Manitoba and the North-west, goods to the value of $7,500,000 in consequence of the imposition of an average rate of 25 per cent. in the duties. In the same way the rates of the Canadian Pacific Railway press heavily upon the country. If you want to see Canada grow and become great and the National Policy fulfil its work, I say, hon. gentlemen, a different commercial policy should be adopted in order that the people may reap to the fullest extent the advantages to be found in Canada for increasing their individual prosperity, and for building up the country generally.

Hon. Mr. BELLEROSE—Hon. gentlemen, I do not intend to make any remarks on the resolutions which are being discussed, and which are intended to be the basis of an answer from this House to His Excellency's Speech. The different subjects of that Speech have been sufficiently discussed during this debate by both sides of the House to enlighten the Government and show them what the views of the people of this country are regarding the financial and commercial affairs of the Dominion. Arguments have been advanced for and against the statement that this country has made material progress. It seems to me there can be but one opinion as to the great advance that this Dominion has made during the 30 years of its existence: but it cannot be denied that at the present moment and for some time past something has been wrong. It cannot be denied that the National Policy has done much good, but I believe that at the present moment some change is necessary. The manufacturers got the best of this policy, and in my opinion the time has come when the farming community should have their turn. Some changes in the tariff would probably improve the situation as far as it possibly can be improved under the circumstances in which we are now placed, and these changes would no doubt satisfy the people. It seems that the Government have beenaware of this, if I have rightly understood the speeches made during recess by a certain number of Ministers. Such being the case, I do not see the advantage of discussing those important questions at the present moment. It is only occupying the time of the House to no good purpose, since more advantageous opportunities will be given during the session for the discussion of the different subjects and measures foreshadowed in the Address, or announced in the speeches I have referred to. I think the best thing for independent members of this House to do is to wait until these measures come up, and give the Government time to develop their policy and show what they can do. I consider it would be utterly wrong on my part if I allowed this opportunity—the first I have had since the reconstruction of the Cabinet—to pass without congratulating the hon. Premier on his choice of the late Lieutenant-Governor of the Province of Quebec—the Hon. A. R. Angers—to replace the late Hon. Dr. Paquet as Senator for the division of de la Vallière, and to fill the honourable position of Minister of Agriculture for the Dominion. By this action of the Premier, the French minority have now a representative of their own on the Treasury benches, and a leader speaking their own language in this House. A better choice could not have been made. Though quite a new member of the Federal Parliament, the Hon. Mr. Angers is well-known for his talents, ability and energy. He certainly will be an ornament to the Senate, and will, no doubt, be an honour to his province. I also congratulate the hon. Minister of Trade and Commerce on his appointment to this House, and to its leadership. No doubt the long parliamentary career of the hon. Minister will be of great advantage to the Senate; and, as an old colleague of his in the House of Commons, I beg to tender him and the hon. Minister of Agriculture—also a colleague of mine in old times in the Local Assembly of Quebec—a hearty welcome. I propose to deal more particularly with the necessity which exists for the Senate having a certain number of the advisers of the Crown chosen from among the members of this House, and occupying seats in this House. This proposition not being, strictly speaking, a constitutional one, as is that of having French speaking Ministers, I intend to give it a little more attention. It is now nearly fifteen years since the late Right Honourable Sir John A. Macdonald resumed the position which he held to the day of his death. It is also fifteen years since the French minority in the Senate were deprived of their constitutional right to have a member of the Cabinet speaking the French language sitting in this House. It is also fifteen years since the late Sir John A. Macdonald took his first step towards depriving the French speaking people of their right to be represented in both Houses by Ministers of the Crown speaking the French language. To-day I am happy to congratulate the present Government upon having righted this wrong. From the very first day when the Confederation Act was put into force in 1867, until 1878, when the late Sir John A. Macdonald took office a second time, this House had never less than two of its seats occupied by ministers, and one of those always a Senator speaking the French language. But ever since 1878 till the date of the action of the present Government which I have just commented on, this constitutional right of the French minority was ignored by both leaders of the two preceding administrations. In vain did the French members of this

House protest year after year against such a course being followed by the Government. In vain did they rise against such an apparent contempt for the constitution. Their voices were heard, but they had not even the satisfaction of hearing hon. gentlemen composing the majority of this House echoing their sentiment to show that they would not allow such a course to be followed by the Government. We, the French minority, were left unrepresented. We were abandoned by our colleagues of another nationality who took no interest in such a violation of the constitutional law. Some of our compatriots did no better, it is true, but to them I have nothing to say. It is a sufficient punishment that they are known, and that posterity will hold them responsible for all the evil to come and the consequences of the course they have followed. What would be the use of trying to stimulate their patriotism now when they could not be induced at the proper time to imitate our predecessors, who fought to the last for the enjoyment of the privileges which they finally secured, and succeeded in preserving and transmitting to us and to our care? Such an indifference as that shown by this House in not forcing the Government to respect the constitution could not be expected to bear anything but mischief. It did bear mischief. The whole Senate was punished by the very same wrong of which the hon. members had indirectly approved by the silence they kept when the French members of this House had called for their help. Sir John Macdonald, having succeeded so well in depriving the minority in this House of their constitutional right to a French speaking Minister, thought he might safely go a step further, and did not hesitate to advance his own interests at the expense of this House, convinced that there was not sufficient independence in Parliament to force him and his Government to respect the agreement made at confederation and act in the spirit of the constitution. Let me review briefly the events which have occurred since the 1st of July, 1867, when the British North America Act came in force. In conformity with an honest interpretation of the new constitution, the late Right Hon. Sir John A. Macdonald, having been the first Premier charged with forming an Administration under the new *régime*, called from the Senate no less than five of his Ministers, amongst them one or two French speaking Senators, and all of them holding portfolios. True, at that time Sir George Cartier was alive, and the recognized leader of the province of Quebec. At that time Sir John A. Macdonald would not have dared to attempt what he subsequently did, but after the death of Sir George Cartier, which took place a few months after Sir John A. Macdonald's Government was forced to resign, the Mackenzie Administration took office, and gave this House two Ministers, one of whom represented the French minority. In 1878 the Mackenzie Government was defeated, and Sir John A. Macdonald was again called upon to form a Cabinet. At that time two English-speaking Senators were made members of his administration. Later, a third English-speaking Minister without portfolio was given to this House. If my memory serves me right this occurred in 1880. This state of things continued until 1887, when we were left with but one Minister, an English-speaking Senator without portfolio. He alone was left to occupy the Ministerial benches in this House. In 1888 a second English-speaking Minister without portfolio was appointed, giving to this important body but two English-speaking Ministers without responsibility, being without portfolio. One of these two Ministers was in 1891 appointed President of the Council, and in that position affairs stood in this House until a few days ago, when the late Premier, Sir J. J. C. Abbott, resigned. Now, there is not a member of this House who could rise in his place and state that the course pursued by the late Premier and his predecessor was in any way in accord with the practice in England, or in conformity with the principles enunciated by authorities on Parliamentary Government, or with the parliamentary practice in England or in any of her colonies. None of us, I am sure, would ignore the fact that in England a considerable number of the Cabinet Ministers, when not a majority of of them, have their seats in the House of Lords. In our sister colonies the principle to which I have referred has always been followed or advocated in Victoria, New South Wales, New Zealand, &c. Let me refer to a case in point in the colony of Victoria. The Victoria Government some years ago entered upon the same course that Sir John A. Macdonald pursued here. Formal complaints were made by the Legislative Council but no attention was paid to them by the executive. At last both Houses rose in their might and appointed a joint committee on constitutional reform, whose report showed the necessity of having constantly in the Upper House at least two, and if possible more, responsible ministers. I find on reference to the various authorities whose works are in our Library that this principle is clearly laid down. Even our own Canadian authority, Mr. Todd, in his "Parliamentary Government in the British Colonies" writes:—

> A patriotic statesman, filling the honourable position of Premier, will readily apprehend that it is in the interest not to say the paramount duty of every minister so as to shape his course as, if possible, to keep the two Houses of Parliament in harmony, and not to throw himself absolutely and entirely into the hands of one branch of the legislature, regardless of the wishes and feeling of the other.

Such is the practice in England, such also are the principles advocated in her colonies, such also has been the course followed by the two late administrators who have ruled over Canada during the last fifteen years, so far as the question I am dealing with is concerned. Who could believe this history of the last fifteen years to be true except he had been, as members of the Senate have been, a witness to the different facts I have related? Indeed, how could any man believe that the Government had acted in this way and be allowed to continue in their evil course from year to year? It is true members of this House have repeatedly complained of such a state of things. I know that some of our colleagues privately remonstrated with the Government on the subject. It is also true that many of them met together and determined to put a stop to such an injurious course on the part of the executive, and that some steps were privately taken to carry such a determination into effect. But what have been the results? What have those secret efforts done? Nothing, except to convince the existing Government that they were all right, that they had nothing to fear, that the Senate would not rise against them, and they could continue with impunity in their evil course. So they did until the time—a few days ago—when the present Premier was called upon to form a new Cabinet and set things right. Could those two previous administrators have done anything better calculated to throw discredit on the Senate and ruin its influence? Yet the majority of this House kept quiet. They submitted for fifteen years to such treatment. Nay; by their silence hon. members have encouraged the Government to ruin this House in the opinion of the people at large. The Senate allowed the Government to take its own course, and to trample upon the great charter of the rights and privileges of the people of this Dominion. What necessity then for a constitution? What is its use, if in spirit as well as in letter it can be set aside with impunity? What advantage is there in having a Senate and a House of Commons, if their members are so partisan or so dependent on the executive as to fear to force them into conformity with the sacred law, the fundamental law of our country, in accordance with the letter as well as the spirit. What a difference there is between the course which we have followed here and the manly and patriotic stand taken by our fellow-subjects of Victoria. What is the reason of this difference? Do those people understand better than we do the Constitutional Government under which we live? Are they less partisan than we are? Are they of more independent temper than it is possible for us to be? I will not undertake to say, but the facts are there, and facts are stubborn things. I renew, gentlemen, my congratulations to the Premier. I congratulate the whole Cabinet on the step they have taken, a step by which they have shown their determination to do what is right, and to show their respect for the constitution, The noble conduct of the present administration in recognizing the right of the Senate to have a fair number of Cabinet Ministers, and of the French minority to be represented on the Treasury benches in this House is, in my opinion, of such importance that, although a majority of the present administration were members of the two preceding governments, those who, like myself, were dissatisfied with their past conduct might readily forgive and forget the past, and give the present Government a fair support. This I am ready to do as far as I can without sacrificing those principles which have guided me in the past. I shall always be true to sound Conservative principles, maintaining perfect independence in dealing with men and measures. Before I sit down, gentlemen, I beg to offer my compliments to the hon. gentleman who preceded me, in reference to what he has said as to the school question in Manitoba.

I cannot let his remark pass without tendering him my thanks. I hope that the great majority of the people of this country will understand that in order to continue on good terms with each other, and in order that the different nationalities may live together in harmony it is very desirable to respect the convictions of every man. It is well known that the minority of people in this country hold such principles on this question that they cannot conscientiously give way, while on the other hand, even if there were a conviction that another kind of school would be better, I should think that patriotism would enable the majority to allow their fellow-countrymen to follow their views in reference to this question, and keep for themselves the definition of what a school ought to be. This I hope will be the case. Until to-day I thought that the hon. gentleman from Marquette was opposed to the system which we advocate, but I am glad now to see that he thinks we are certainly right in asking for our rights on this question. There was something in the remarks of the hon. member on this subject, in which I cannot concur, but I leave it to representatives from that section of Canada to express their dissent.

Hon. Mr. ANGERS—My first duty on rising is to claim your indulgence for the imperfect manner in which I address the House in English. I hope you will grant me this indulgence, as being also a new member of this honourable body. I must offer hon. gentlemen my thanks for the courteous manner in which they have received me, and the great friendship which has already been extended to such a new member. I must also thank the hon. gentlemen who have addressed this House for the kind sentiments they have expressed towards their Excellencies who will shortly be leaving Canada. As a member of the Government, who is supposed to express the views of the representative of the Crown in this House, I must tender you their thanks. It has been my good fortune to have frequently been brought into communication with their Excellencies during the last five years, and I have often been afforded opportunities of judging of the great love which they bear to Canada, and I am sure that when they leave us they will not forget us. I also take occasion to express on behalf of the people of my own province the great respect in which they hold His Excellency on account of his high and straightforward stand on constitutional questions, and because they have seen in him the representative of the Queen — the Queen who has given us during her reign the institutions which we now enjoy. I must also thank the hon. member for Marquette who has referred to my colleague and myself in courteous terms as members of the Senate. He has made only one reservation—it is that we should be members of the Senate, but not both of us members of the Government—that members of the Government should have been chosen from the Senate as it was previously composed. Upon this point, in so far as I am concerned, I agree with the hon. member from Marquette. I am here, not by own preference, and the hon. member himself has deprived His Excellency of the exercise of his free will, because this not being a coalition Government, he could not call upon the hon. member to occupy a seat on the Treasury benches. I might add that the hon. gentleman's views were at one time in accord with those of the Government, and I have not lost the hope that in the future we may find him again agreeing with us. I also thank the mover and the seconder of the address, the hon. member for Welland, and the hon. member for Delorimier—they have both spoken in a manner that entitled them to congratulation. The mover endeavoured to show that the United States is not a desirable country to which Canadians should emigrate. He has proved that by showing the number of evictions which have taken place lately in the city of New York. He has proved conclusively that this country is in a prosperous condition. He has established it by applying two of the tests that are generally accepted by statisticians In his argument on that point he displayed no party feeling whatever. He did not refer to either side of the House, and I was surprised to find the leader of the Opposition attacking my hon. friend and telling him that the Government was losing the confidence of the people, and citing in proof of it that the hon. gentleman's presence in the Senate was due to a previous defeat in his constituency. I was sorry to hear those remarks, and I was surprised a few hours afterwards to hear from my hon. colleague here, who is better informed than myself of the facts, that the hon. member was never defeated in Welland County. It was established that his county had been usurped; the usurper was brought before the courts and branded with bribery and corruption and deprived of his political rights for seven years. I do not call that a defeat. I am convinced from what I saw myself in the Niagara District recently that the hon. gentleman would have been returned for his county had he not, for some personal reason, refrained from entering into the contest. Of course this attack by the leader of the Opposition was made in the most courteous language, and with the skill of a master in eloquence. The attack was directed at my hon. friend's breast, but the blow struck him below the belt. I fancy that the hon. leader of the Opposition must have had some reason to be displeased with the people of Welland, because he made an attack upon that county, and stated that it had lost a thousand of its population according to the last census; and he made an appeal to the descendants of the U. E. Loyalists not to desert the district in which their forefathers had settled. Now, I do not think there was any need for such an appeal. According to the census returns, the population is really not deserting the peninsula of Niagara. True, Welland itself has lost a thousand of its people, but it has only been a shifting of the population. The adjoining counties and the city of Hamilton have increased. Toronto has increased by 85,000, Hamilton by 12,000, Nipissing by 11,000, and Manitoba by 90,000. In all these sections of the country you will find settlers from the district of Niagara. From the hon. gentleman's remarks about the Niagara District, you would think that the garden of Canada was being abandoned by its population. It is only necessary to refer to the figures which I am about to read, taken from the last census, to show that the productions of the farms and orchards of that section of the country have immensely increased and represent an enormous value in money. The statement following shows that the industries of that section of the country have also developed to a great extent:—

RETURN of Orchard Products, Nurseries, Vineyards and Market Gardens.

Districts.	Population.	Orchard Products.					
		Apples.	Peaches.	Pears.	Plums.	Cherries.	Other Fruits.
		Bush.	Bush.	Bush.	Bush.	Bush.	Bush.
Haldimand	16,307	237,142	22,694	40,427	17,211	22,718	37,380
Monck	15,315						
Lincoln and Niagara	21,806						
Welland	25,132						
Wentworth, South	16,770						

RETURN of Manufactories.

Districts.	Number of Establishments.	Fixed Capital.				Employees.					Cost of Materials used at the Factory, including freight charges.	Value of Products.
						Average Number of				Aggregate Amount of Yearly Wages in Dollars.		
						Males.		Females.				
		In Land.	In Buildings.	In Machinery and Tools.	Working Capital.	Over 16 Years.	Under 16 Years.	Over 16 Years.	Under 16 Years.			
		$	$	$	$					$	$	$
Haldimand	272	20,753	106,328	122,533	333,865	448	15	79	6	122,023	560,907	960,100
Monck	177	34,333	71,142	87,524	90,991	350	11	30	1	83,527	225,373	445,683
Lincoln and Niagara	232	296,245	498,460	848,961	1,660,490	1,559	159	441	139	752,924	1,930,747	3,512,392
Welland	324	105,890	256,200	330,160	605,980	854	83	266	45	350,668	846,354	1,708,679
Wentworth, South	222	64,955	104,751	120,205	118,326	515	17	79	9	138,829	237,640	553,136
Total	1,227	522,176	1,036,881	1,509,383	2,809,652	3,726	285	895	200	1,447,971	3,801,021	7,179,990

Surely nobody can believe, in the face of those figures, that the Niagara District is being deserted; and therefore I say it was unnecessary to make an appeal to the loyalty of the people of the Niagara Peninsula. The hon. gentleman said also that the Franchise Act and the misgovernment of the country had caused this emigration. I cannot understand how he makes use of such an argument. He represented to us that the people were leaving the country because they had been robbed of their rights through the appointment of revising barristers under the control of the Government, and, what was worse, because the lists, after being made out, were printed at the printing bureau in Ottawa. Now, when the laws of this country are made, who prints them—is it not the Government? Did it ever occur to any member of this House, or any man in this country to question the correctness of the laws, because they are printed by the Government? Now, the revising officers are not under the control of the Government. They are appointed by the Governor-General in Council, it is true; but they are as free from Government control after their appointment as are the judges of the land. If the hon. member had referred to section 11 of the Franchise Act, he would have seen that none of them can be removed except by Parliament.

Hon. Mr. HOWLAN—In Prince Edward Island they are judges.

Hon. Mr. VIDAL—So they are nearly everywhere.

Hon. Mr. ANGERS—The hon. gentleman and the hon. member from Marquette referred to the census returns and made comparisons, to the disadvantage of this country, between the increase of population in some of the neighbouring states and in Ontario. It has already been shown that the bases of this comparison were not correct. It is true that a portion of Canada has not increased in the proportion that everybody anticipated, but the increase has been about twelve per cent. We find that in the neighbouring country there was a good deal of disappointment at the result of their last census—the population had not increased to the extent that they had looked for. In the state of Maine, for instance, which is pretty nearly similar to the province of Quebec, the increase was only 1·75 per cent. In Vermont, which also adjoins the province of Quebec, there was a decrease of two-hundredths of one per cent, so I do not think that much importance can be attached to the hon. gentleman's argument. The hon. gentleman from Marquette stated that the census returns relating to industries gave erroneous figures. In the last census a distinction is made between industries and industrial establishments, and there is no ground for the complaint which we have heard from the Opposition. None of those small factories that the hon. gentleman has referred to as employing only three or four hands are included in the industrial establishments. They have all been omitted from the returns, and I think that the hon. member has founded most of his complaint on an article recently published by the *Globe*. A reply was sent to the *Globe* for publication, and although several days have elapsed since then it has not yet appeared in the columns of that paper.

Hon. Mr. BOULTON—I think the hon. gentleman is not quite correct in his statement, because there appears in bulletin number 8 a reference to an establishment in which only one operative is engaged.

Hon. Mr. ANGERS—Some of those bulletins were prepared with very great haste and were revised since, and when the hon. gentleman gets the revised edition of the census he will find that no establishment so small as that is included in the industrial establishments. But it was pointed out that there was a decrease in the population of the Maritime Provinces. I must draw the attention of the House to the fact that immigration is not exclusively under the control of the Government of Canada. The Local Governments have also something to do with the matter, and if there is to be blame attached to any one, at least it should be shared by the local administrations of the provinces that have been mentioned. If New Brunswick has not increased in the proportion anticipated, perhaps the hon. gentleman might address some of his reproaches to the Liberal Government who are governing that province.

Hon. Mr. POWER—They have not had a Liberal Government in New Brunswick since Confederation.

Hon. Mr. ANGERS—Well, what is it?

Hon. Mr. POWER—A coalition, with the majority Conservative.

Hon. Mr. ANGERS—I understand the Liberal Premier strengthened his Government by drawing some members from the Opposition, but the Government of New Brunswick has always been known as a Liberal Government.

Hon. Mr. ALMON—The Halifax *Chronicle* has frequently claimed that New Brunswick has a Liberal Government. The hon. gentleman from Halifax will not deny the *Chronicle* as the hon. member from Ottawa has repudiated the *Globe.*

Hon. Mr. POWER—All the early Governments after Confederation were Conservative Governments. The present Government of New Brunswick is recognized as a coalition Government.

Hon. Mr. KAULBACH—But the *Chronicle* says that the New Brunswick Government is Liberal.

Hon. Mr. ANGERS—Coming back to what was called discrimination against the United States on the canals, I was surprised to hear the hon. leader of the Opposition qualify the action of the Government in this matter as unworthy of British statesmen. Now, I do not agree with him in this, and I believe I can show him that the statesmen of the United States do not agree with him either. I say that there never has been any discrimination against United States vessels navigating the St. Lawrence canals.

Hon. Mr. SCOTT—That is correct. I agree with the hon. gentleman: it was ports I said.

Hon. Mr. ANGERS—What is the privilege granted by the treaty? The privilege is not one granted to a territory, or to a special state: it is a privilege granted to the flag carried by the vessels.

Hon. Mr. SCOTT—The citizens—the people.

Hon. Mr. ANGERS—No, it is granted to the vessel, and I say that an American vessel fulfilling the conditions imposed on a Canadian vessel, gets exactly the same rebate that our own vessels get.

Hon. Mr. SCOTT—The vessels do.

Hon. Mr. ANGERS—The citizens also get the same advantage, because the vessel must be owned by an American citizen. An American vessel loaded on its way to Montreal with grain for export gets the rebate. A Canadian vessel bound on the same course loaded with grain for export gets the rebate. The two parties are equal in this regard. Any Canadian vessel loaded with grain and landing it short of Montreal, for the purpose of consumption in the country, does not get the rebate, and why should an American vessel, doing what a Canadian vessel cannot do, get a rebate? That is exactly the position. The hon. gentleman wishes us to grant an American vessel a privilege that a Canadian vessel is denied. Now, if these were my own opinions merely, I would not expect the House to lay much stress upon them, but this has been the interpretation and construction put upon the treaty by the United States themselves in all their statements for eight years. Let me recall the date when this wheat rebate was first established by an Order in Council. It was on the 26th August, 1884, and on the 4th July, 1885, that this rebate was granted, and never was there a protest or a complaint of undue treatment or unfair interpretation or illegal interpretation of the treaty during all that time. Now, would the hon. gentleman affirm that Mr. Bayard and Mr. Blaine were so obtuse, so unskilful, so unmindful of United States interest that they would not have immediately protested against this state of things which lasted for eight years? and yet it was only last September that they gave any shape at all to a protest.

Hon. Mr. SCOTT—Do I understand the hon. gentleman to say that vessels carrying grain, either American or Canadian, where they tranship at Ogdensburgh, but intending the grain to go to Europe, would get a rebate?

Hon. Mr. ANGERS—Certainly not, and the reason is plain. How could the hon. gentleman expect us to follow grain through American territory to ascertain whether it is exported or not? Would they grant us the privilege of entering their custom-houses and examining their officials to see whether the grain was exported or not? We granted them the privilege of coming to our ports, if they chose, and we could not give them a privilege over grain that we could not control. Now, I say that the construction put upon the treaty by the people of Canada has been in accord with the interpretation put upon it by the people of the United States for eight years. If I am not wrong, the suggestion of the grievance came from this side of the line to furnish the Americans with a new opportunity of putting the screws on the people of Canada.

Hon. Mr. SCOTT—I want to ask a question, as a matter of information, when was the Order in Council passed, or the regulation made, granting a rebate? It was then that a grievance arose I understand.

Hon. Mr. ANGERS—The first Order in Council was passed on the 26th August, 1884.

Hon. Mr. SCOTT—That did not affect Ogdensburgh.

Hon. Mr. ANGERS—It affected everything. The second Order in Council is dated July 4th, 1885. There was a change in the rate but there was no change in the right. The hon. gentleman told us that last year upon this point he had resisted temptation, and did not wish to bring a discussion before the House on this point. Well, I am very sorry to see temptation gaining strength against him. The hon. member should be more free from temptation this year than he was last year, since he is so much older. Now, I am sorry that he did not resist the temptation of showing that, in the Senate of Canada, the pretension of the United States was supported in opposition to Canadian interests, because you all know that this is an open question, and one which is within the scope of diplomacy, and it is not right, that we should discuss a question upon which the Government have not come to a conclusion; so that I think the temptation should have been resisted.

The hon. gentleman who leads the other side of the House showed, or attempted to show, that this country was going to ruin, owing to misgovernment and a defective fiscal policy. Now, I wish to show, and reassure him upon this point, if there is any doubt about it, that we are not going to ruin, and that the fiscal policy of the Government is not defective. If you want to have an idea of the progress of the country, I think one can refer with reliance to the shipping employed for the business of this country and to the progress we have made in that respect. I shall compare two years as follows:—

	1878.	1892.
Tons of shipping employed	23,102,551	43,802,384
Bank note circulation	$20,215,020	33,788,679
Production of coal, tons (1891)	1,152,000	3,623,076
Value Exports of Canadian cattle	$1,152,334	7,748,949
Value Exports of Canadian cheese	$3,997,521	11,652;412
Value Exports of Canadian sheep	$699,337	1,385,146
Value Exports of Manufactured wood	$13,908,629	19,802,165
Value Exports of Home manufactures	$17,780,776	26,843,153
Imports raw cotton, pounds	8,011,759	46,322,525
" " "	817,559	3,673,933
Value products of Canadian Fisheries (1891)	$13,215,679	18,978,078
Value Exports of products Canadian Mines	$2,816,347	5,906,471
Value Exports products of Canadian Farms	$32,028,321	50,708,134
Barrels Exports Apples Number	53,213	690,951
Value Exports Apples	$149,333	1,444,883
Dominion note circulation	$3,120,127	7,214,953
Consumption of coal, tons (1891.)	1,665,814	5,885,894

An increase of 4,220,000 tons.

Hon. Mr. POWER—The winters are more severe.

Hon. Mr. ANGERS.—I can find for the hon. gentleman a better explanation than that. The coal is being used as a result of the National Policy. It is being used in the spinning of cotton in cotton mills, in the iron industries, and in a hundred other ways, and the hon. gentleman is wrong, I think, in referring to the winters as the cause of the increased consumption. We left the glacial period of 1878. We have come into a much more moderate climate, where everything expands and blooms. Now, I will refer to what I think is a very safe test to show the prosperity and the credit of the country. It is the discounts by chartered banks. In 1878, the discounts were $124,886,552. In 1892, they were $210,234,377. But there is a better test than that; it is the business failures. Now, if we compare the glacial period of 1878 with 1892, we have the following result: The failures in 1878 amounted to $23,908,000, and in 1892 to $13,703,000. The over-due notes in banks is a very good test also to show whether we are going to ruin or not, and to show whether the fiscal policy of this country is so very vicious. The over-due notes in banks on each $100 borrowed in 1878, was $4.56. What do you think it was in 1892? $1.03.

Hon. Mr. POWER—Perhaps the hon. gentleman will excuse me, I am very sorry to interrupt him. Before he lays that statement down, would he be kind enough to tell me the exact meaning of the statement which he made in the first place—the shipping employed. That means the tonnage inward and outward?

Hon. Mr. ANGERS—Yes, the tonnage inward and outward. The claim is made that everything in this country is taxed and over-taxed. Well, I will show the House the statement of imports divided into free and dutiable goods for seven years. The division shows that during the 7 years, 1868-74, the yearly average of imports was: dutiable goods, $58,020,000, and of free goods, $36,300,000.

	Dutiable.	Free goods.
1875-79..................	$62,902,250	$33,538,437
1880-84	76,632,000	25,000,000
1885-91..................	74,000,000	32,700,000
1892.	69,160,737	47,818,206

In the first period, the free goods were 62 per cent of the dutiable. In the second, 53 per cent. In the third, 32 per cent. In the fourth, 44 per cent, and last year over 69 per cent. Last year the free goods bore a larger proportionate rate to the dutiable goods than during any period since Confederation. In the period of the Opposition, they were 53 per cent of the dutiable goods; last year they were 69 per cent. The Opposition do not stand on a sound basis of fact when they affirm that under the National Policy everything is taxed.

At 6 o'clock the debate was adjourned.

The Senate adjourned at 6 o'clock.

THE SENATE.

Ottawa, Thursday, February 2nd, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayer and routine proceedings.

THE ADDRESS.

THE DEBATE CONTINUED.

The Order of the Day being read,

Resuming the adjourned debate on the consideration of His Excellency the Governor-General's speech, on the opening of the Third Session of the Seventh Parliament.

Hon. Mr. ANGERS—I was endeavouring, when the debate was adjourned yesterday, to show the great progress the country had made in developing its industries, and I compared the period of 1878 with 1891-92. To make this argument stronger, I shall now draw your attention to the list of partially manufactured articles, and manufactured articles, being goods used in the manufacture of articles in Canada and not themselves manufactured in Canada. We find that of this class of imports there was admitted free, in the period of 1879 to 1883, an average of $8,240,000 a year. In the period of 1884 to 1888, an average of $9,560,000, and in the period of 1889 to 1892—three years—an average of $13,167,000. There has thus been a constantly growing amount of goods entering into our own manufacturing brought in without duty. Again and again we have said to the manufacturers, We will enlarge the free list for the articles you need, so that you may be able to produce cheaper and cheaper, and thus supply the consumer at the least possible cost. In this way a large amount of taxation has been remitted to the people, as in placing tea and sugar on the free list, as well as striking off the stamp tax. The percentage of customs duties on the total value of goods entered for home consumption in 1879, was 16·10 per cent, and in 1892, 17·56 per cent; this is $1.46 on each one hundred dollars more in 1892 than in 1879. Yet, in the interval we have extended our railway system by 8,500 miles and increased the amount of goods carried by them from 7,883,000 tons to about 23,000,000 tons, and increased the passengers carried from 6,444,000 to nearly 14,000,000, having expended on these great aids to cheap transportation and improved interprovincial interchange $78,356,935. We have developed and improved our canal system and have expended thereon since 1879, the sum of $3,658,984. We have erected all over the Dominion public buildings at a cost of nearly $10,000,000, giving increased facilities to the public in doing their business at the post offices, custom-houses and other public buildings, besides other expenditures, making a total of $128,000,000. All these services have been performed. The country has been provided with cheapened means of transportation and greater facilities for doing business; and yet in 1892, the burden of taxation, as indicated by the customs tariff, was only $1.50 more on each $100 of the imports than it was in 1879. In the meantime, the cost of transportation has been greatly cheapened. It is also due to the improved credit of the country, under the National Policy, that our interest charges have been greatly reduced. Now, I wish to refer to the argument made by my hon. friend from Marquette, when he stated to the House that we had exhausted our purchasing power and borrowing capacity and our credit, and that it was impossible for the Dominion to further increase its indebtedness without going to ruin. He founded his argument on the fact that the imports had not risen in proportion to the exports. I say that this is not a sound argument. Exports will make a people rich; imports will also make a people rich, but I must make a distinction. It depends on the nature of the imports that you are bringing into the country. If you bring in imports that are the necessaries of life, such as butter, cheese, bacon, ham, &c., how much richer are you in the end? If you bring in imports of raw materials—things to which you will give greater value—then you may become rich; but if you only import things that are perishable, you are getting poorer and poorer every day. Now, upon this point I will show the hon. gentleman why the imports have been less in proportion to the exports. There is a very good reason for it. It is because the Government introduced a policy which was calculated to diminish the imports. The National Policy was introduced, and consequently we have a decrease in 1892, of $25,450 in the quantity of butter brought into the country as compared with 1891. In lard we have a decrease of $18,432 in the same year; bacon and hams decreased $113,327; beef, salted, $3,140; fluid beef, $5,220, and of pork—this is an item to which I believe it is right to refer the farmer—we have imported $111,686 less in that year; poultry and dried or smoked meat and other meats, altogether in the few items I looked through, and which only refer to the farmers, we have a total decrease of $306,498. Perhaps this would be an acceptable explanation for the hon. gentleman why his expectations were not realized, when he found that our imports were lower in proportion to the exports.

Hon. Mr. DEVER—How is it the revenue has gone down?

Hon. Mr. ANGERS—The revenue from customs.

Hon. Mr. DEVER—How is it we pay as many duties as formerly?

Hon. Mr. ANGERS—You pay such duty, because, instead of importing perishable goods, we are importing raw material, which material, when it falls into our hands, acquires a greater value. The hon. gentleman was also very much alarmed at the fact that we had exhausted our capacity for borrowing and that our credit was really going down. I shall draw his attention to the fact that in 1887, the debt of the Dominion was $227,314,775; the interest on that was $8,692,042. In 1892, the debt was $236,493,600 but the interest is only $8,677,558. The interest on the whole has diminished by $14,484. As my hon. friend says, that is not a bad credit when you come to borrow eight and a half millions and pay less interest than you paid when you did not owe that capital. According to the Liberal party, the fiscal policy of the Government is a defective policy. They say that protection is only for the benefit of monopolists and that those men are growing rich on the hard toil of the people, and that we have millionaires. These men that are getting rich, they say, are crushing down the people and sucking the blood from their veins, that they wear them out in work and do not feed them. That is the argument they use every time they appear in public. The Census returns indicate that the labourers' wages have increased by 16 per cent. Now, does that show that the men who are at the head of the industries of this country, are taking such advantage of the toilers that they will not allow them to live? I have shown here, by official documents, that the wages of the toiler have increased by 16 per cent. The price lists of the great markets show that all the necessaries of life—food and clothing, and so on—are cheaper than they were—that in fact everything the family needs is cheaper, except shelter; and house rent is higher, because the masses demand better accommodation than the people were contented with twenty years ago. Now, of course, this condition of things can only suit one party, and that is the Conservative party; because over and above everything, over and above the closest ties, our attention and our energies are devoted to the development of Canada; and it is not to be expected, considering this feeling—judging from the arguments used on the other side and from the steps they have taken to defeat the Government, and the policy that I have been laying down before you—I say it is not to be expected that their sentiments are likely to be in accord with ours. It has been very disagreeable for them—I do not mean by this, members of this House, I mean the Liberals out of this House—and they have undertaken to defeat this policy. They went over the country and cried out that Canada was going to ruin; that the National Policy was making a few people rich and making the masses poor. This did not take very well with the people. It did not suit the purpose. The Liberals required some other cry for the position they were seeking, and they said that the true policy for Canada was Commercial Union. That did not take very much with the people either. They then got another name; they called it Continental Union. That did not seem to suit either. The people were not carried away by these promises. Then, not having sufficient support in Canada, they went to the United States, and there they formed a combine with men who were determined to defeat the policy of Canada and turn the country against the Government for the purpose of—what? For the purpose of annexation. They entered into partnership there. They had meetings with Mr. Hoar. They had meetings with Mr. Wiman, and they concocted the project or plan by which this country was to be ruined; and they proposed that steps should be taken to force Canada into United States Territory.

"They are all, all honourable men," so was Brutus an "honourable man." They used Mr. Farrer as their precursor.

And Farrer "is an honourable man."

He had associates on the other side.

Mr. Wiman gave him all his support.

And Mr. Wiman "is an honourable man."

He had associates in this country who went through the length and breadth of the Dominion to induce the people to accept the policy which would suit the United States better than it would suit Canada.

So are they all—all honourable men.

They were disapointed in this, and the Liberal party had to wear a mask. Mr. Farrer described them so.

Yet Farrer is an honourable man.

He saw that this was not taking with the people, and he had to find an excuse to satisfy his associates on the other side of the line. He said, "my friends, there is no possibility of annexation till the old man dies, and we will not be able to cut the halyard that hoists the British standard till then. He is seventy years old."

Yet Farrer is an honourable man.

They look for some other scheme to create dissatisfaction in the peoples' minds against the Government. Of course I always mean, when I say Liberals, those outside this House. The people of the United States were told by those gentlemen that if a tariff was adopted which would cut off Canada from the United States markets, a reaction would take place in this country. The McKinley tariff was framed. They rejoiced in the McKinley tariff, and in their glee they said to themselves, We have found the rod of Moses, and the Canadians will starve with their granaries full—the fruit on the trees will rot, the barley in the soil will not rise, by the force of this Moses's rod. The milk in Canada will turn into water. The blow has had the reverse effect. The milk was turned into cheese. While in 1891, the export to England was $9,481,373, in 1892 it rose to $11,593,690. The cream of Canada, they said would not churn by the force of this Moses's rod. In 1891, the value of the butter exported from this country to England was $440,060; in 1892, it was $877,455. There was to be a mightier blow than that given by the force of this rod of Moses—the hens of Canada were to be turned into roosters, and the roosters into capons, and the egg trade of Canada was to be destroyed. The blow again had the reverse effect. In 1891, the egg trade of Canada with England, was $83,589; in 1892, it was $592,218.

Hon. Mr. POWER—I do not think the hon. gentleman will find those figures in the Trade Returns.

Hon. Mr. ANGERS—Certainly I do.

Hon. Mr. POWER—I would be glad to have the page then.

Hon. Mr. ANGERS—I have not the page for the hon. gentlemen here, but if he will do me the honour to call at my office, or to appoint a place where I can see him, I will give him the page.

Hon. Mr. POWER—I cannot find it.

Hon. Mr. ANGERS—There may be something else in the official returns which the hon. gentleman cannot find. Now, the effect of this blow through the McKinley tariff was a diminution of trade with the United States, but there again the Liberal party met with a deception. True, there was a reduction of trade with the United States to the extent of $2,150,668 in our exports, but it was fully made up by new trade. Instead of the produce of this land being wasted—instead of the fruit rotting on the trees and the milk turning into water—we have had an increase of trade of $17,919,592. I think that was a fair compensation for the loss by the McKinley tariff. We lost $2,373,513 on the one hand, and we had an increase of trade on the other of $17,919,592. On the whole, the blow, deducting the loss by the McKinley tarift, resulted in a net gain of $15,546,079 in our export trade, in consequence of the McKinley tariff. I say in consequence of that tariff, because it was calculated to ruin Canada, and it proved to be a blessing, raising us to our proper level. It has awakened in us the British spirit that perhaps was dormant before. We had a market near us and access to it without exertion, and we waited until our neighbours came for our products. That was not the position that Canada should hold on this continent, and the McKinley tariff had the effect of arousing us to action. The result is that the eyes of European countries have been more and more turned towards Canada. Holland alone purchased from us last year $553,138 of our products in excess of the preceding year. I repeat, therefore, that the blow which was intended for us has proved a blessing in disguise. Perhaps I should not leave this part of my subject without thanking the Liberals of Canada, who, in exerting themselves to bring about annexation by cutting us off from the United States markets, were the means of expanding our trade. I feel that, as a new member of this House, I have perhaps taken an undue advantage of your kindness, and that it is perhaps contrary to courtesy, on the first occasion of a member addressing this honourable House, to occupy so much of time. I must apologise if I have done so, but perhaps you will accept from me an excuse. I heard a voice within me saying, "assist, assist as much as you can to protect the country and to continue the National Policy." This voice was that of a man described by the eloquent leader in the other House as a portion of the institutions of Canada. This voice was that of the late chieftain. I heard more—I heard the parting words of his noble widow. They have been ringing in my ears while I have been addressing you here, "Tell my husband's friends at some time, when all can hear, that I, his widow, and broken hearted in my loneliness and desolation, venture to ask from them a last and lasting tribute to my husband's dear memory. I ask that that tribute shall be a firm and united support to the policy and principles that our great leader lived and died to maintain and carry out." Those were the words that were ringing in my ears when I addressed you and I offer you their teachings as my excuse for detaining you so long.

Hon. Mr. READ (Quinté)—I think this House is to be congratulated on its acquisition of the two hon. gentlemen who represent the Cabinet here. For my own part, I think the Government have only done what many of us have been complaining for a number of years that they had failed to do. This House has been left for years without Ministers holding portfolios, without the representation that its importance in the country demands. The Government in its reconstruction, has done us justice—partial justice, perhaps, not too much by any means, if we are to be a transcript of the British constitution. You find in England that a very considerable proportion of Ministers have seats in the House of Lords. It has been a complaint by me in this House that the Senate has not been treated in the manner that it should demand. However, as this Government in its reconstruction has so far considered us, I have to congratulate them and the country, and the House will no doubt feel that they have a great acquisition in the two gentlemen who hold portfolios in the Government of the day. I venture to say a few words to the House at this particular juncture, and if I travel a little out of the line of what is really the matter under discussion, it is allowable. Every question may be brought up in the debate on the Address. There seems to be hardly any question that should be omitted from it, and as there are some matters I should like to say a few words upon, I am to be pardoned for doing so. A great deal has been said about the National Policy in this debate. It brings to my mind the incidents of 1877, when I moved the resolution affirming the National Policy. Great things have come out of it. At that time I could not find a seconder for my resolution in this House. After a long time I did find one man to say, "Read, I will not allow your motion to go without a seconder." I may as well read the motion which I moved in 1877, to show how necessary it is for us to change as we go on. Events move rapidly in a new country. My resolution was as follows:—"That in the opinion of this House the present and the future interests of the manufacturing and agricultural industries of the Dominion call for the adoption of a National Policy by which either reciprocity of trade with the United States is obtained or a reciprocity of tariffs is established by Canada." That was the first resolution moved in Canada in favour of the National Policy. For two weeks I had it on the notice paper. As I have said, a friend agreed to second the motion, but he thought better of it, and backed out. However, a gentleman who is no longer with us, came to my relief and seconded the motion. Things have changed very much since then. I could easily get a seconder to-day for a resolution of that sort. As matters went on it was found that the principle of protection was popular, and it was on that issue that the Government of Sir John Macdonald was returned. Then the people were told we should have something better and that something better was commercial union with the United States. I very well know that hon. gentlemen say they did not propose commercial union. I know Mr. Wiman came to a place called Napanee. Although the Government had not spoken out on the question at all, I went to the meeting to hear what he had to say about it. I took the ground at that meeting that it would be disastrous to the financial interests of Canada. After a while he held another meeting in Picton: I met him there, and although I had been returned for that part of the country, I could scarcely get a hearing. The place was packed with Liberals. I there combatted, as well as I could, Mr. Wiman's scheme, so that hon. gentlemen need not say they did not adopt commercial union. They did adopt it, and we had to meet it every place we went. They found it would not do, and then they took up unrestricted reciprocity. Well, what does that mean? We hardly know what it means. Does it mean free trade with the United States? They tell us the American market is our natural one. I know it is convenient to go across the way and sell a man something I have got to sell, and buy something he has got to sell. I have done it a hundred times myself, but as to the United States being our natural market, our neighbours are large exporters of the very articles that we produce. The main articles that we produce they export to the markets of Europe, as is shown by the following list:—

Animals..................	$ 32,000,000
Breadstuffs..............	152,000,000
Apples, fresh, dried, canned and preserved fruit......	3,000,000
Cotton oil and other oils....	4,000,000
Farm products............	84,000,000
Meat.....................	45,000,000
Dairy products...........	9,000,000
Vegetables...............	1,300,000

I think I have gone through what is generally produced on the farm. I know what is produced on the farms of this country, having had a great deal to do with purchasing and raising farm products. We export barley to the United States. I admit there was a time when that barley trade was important to us. I have been in it twenty-five years and ought to know something about it. Before the great civil war in the United States, barley was cheap. I have bought continuously for a whole season, and in large quantities, barley at 41 cents a bushel. That was the highest price when there was no duty on barley entering the United States. After the repeal of the Reciprocity Treaty, after the war in the United States, I sold barley at $2.45 a bushel. It was a depreciated currency, it is true, but I sold the same day a large quantity in the warehouse at $1.65 gold, when there was a duty on barley going into the United States.

The Americans after the war began to grow barley for themselves. Of course the duty they imposed was a great drawback, and we have not been able to produce barley to sell them to any extent. The McKinley Bill increased the duty to 30 cents, and of course we do not sell them any barley now. The part of the country which I come from is famous for its barley, and I found it a profitable trade. I have loaded ten vessels at one time with barley in that part of the country, but the United States put this duty upon it, and we have had to submit to the consequences. If the duty was removed, I think, probably, we could grow barley at a profit; but as things change, the farmers, like other people, must change also, and I do not hesitate to say that they have been slow to change. However, they are driven to it now and they must meet the emergency. They must think and act according to circumstances. Our country lies in the temperate zone and in future the general agricultural exports of the country must be the cow and her products. I mean by that pork, butter and cheese. With regard to the butter industry, I think the people must move; and thanks to the Government, they have moved. The Government are doing a great work, they are moving the farmers in the right direction, in a way that they will not exhaust the soil, but will preserve the fertility of the land. We have not many new fields now. I am speaking of the older parts of the country, particularly the thickly-settled parts. We have not new fields to break up and we cannot be sending away the farms, because that is what it means. We cannot afford to exhaust the soil, because we would then have to purchase fertilizers. Now, what is the country going to do? There is no man, in my opinion, either in the inside or outside service who has done and is doing this country so much good as Prof. Robertson, the Dominion Dairy Commissioner, and I doubt whether any Minister of the Crown has rendered half the service to the country that he has done. I wish to draw the attention of the Minister of Agriculture to the fact that Prof. Robertson has not only educated the farmers; he has in the last year or two, by his work, brought this country before the great merchant princes of the world in a manner that scarcely any other man could do.

Hon. Mr. ANGERS—He is educating me also.

Hon. Mr. READ—If you follow his tuition I warrant that you will move in the right direction. Professor Robertson has so aroused the people of England that even the Liberal press is eulogising the Government of Canada and telling the landlords that they should follow the action of the Government of Canada. They say: Why are you not educating your farmers and helping them along as the Government is helping the farmers of that country? When you get the great press of England to give a column or two of a lecture given by a Canadian civil servant, you are doing a great deal. In England they have asked Professor Robertson to address them and asked him what he thinks should be done, and he has advised them wisely. I feel that it is my duty, knowing him so well, to say that there is no man in this country whose work is resulting in greater good. The Government are establishing model creameries in Canada. I visited one a few days ago for my own satisfaction, and I saw a number of men and women there. I wondered who and what they were. It turned out that they were cheese makers, getting an education free of cost in the best methods of producing butter. Three such establishments are in Ontario, I believe, to-day. In the British Trade and Navigation Returns up to December last I find that we are increasing in the manufacture of butter in a short time. Last year there were two experimental creameries in Ontario. I do not know what there was in lower Canada. In 1891, we sent to England £174,043 worth of butter. In 1892, in eleven months, we sent to England £239,580 worth. The British Trade and Navigation returns are from the 1st of January to the 1st of January, while ours are from 1st July to 1st July. Consequently they will not exactly compare. But the increase according to those returns is what I have stated in exports of butter for 11 months last year. Then with regard to cheese, I see that we have sent a little more, speaking from the English returns, in the 11 months, namely $11,600,000.

Hon. Mr. ANGERS—I have $11,593,000—that is pretty close.

Hon. Mr. BOULTON—I would draw the hon. gentleman's attention to a probable cause of the difference between the British Board of Trade returns and our own returns. In the former articles which are not the produce of Canada, though exports of Canada, would be included. We distinguish in our own returns between exports that are the produce of Canada and those that are not the produce of Canada.

Hon. Mr. ANGERS—What I have given you is the produce of Canada.

Hon. Mr. READ—There may be a few boxes of cheese going down by way of Montreal. This trade, in my opinion, is as yet in its infancy, and I must thank the hon. Minister who had a seat in this House, Mr. Carling, and give him credit for inaugurating this system of educating the public, to a certain extent.

Hon. Mr. ANGERS—Hear, hear.

Hon. Mr. READ—The experimental farms have done a great deal for the farmers. They have shown the farmers, by their experiments, what it costs to produce a pound of grain, which grain is worth the most money, and how much skimmed milk is worth for feeding purposes. We may guess at these things, but the experimental farms have told us for a fact how many pounds of grain it takes to make a pound of pork, under various conditions. These things, I repeat, teach the farmers, who have not had an opportunity of learning how to feed stock properly. Professor Robertson has been issuing bulletins on silos; and I think that is the ground work of the dairy. It is the ground work, because it gives you the best quality of food for stock at the cheapest possible rate. Ensilage costs about $1.50 a ton put into silo ready for feeding. There is no other food that can be fed so cheaply to animals and at the same time can be produced in such quantities. Professor Robertson is going to keep twenty-eight head of cattle on forty-eight acres of land. Here, on the Experimental farm at Ottawa, he has naturally a good many appliances. He has the city close by from which to get manure, and no fences. These lessons, I repeat, help to raise the farmer out of the rut into which he has fallen. At present grain cannot be grown at a profit. I think I have said quite sufficient on that question. I will say a few words about the trade policy of my hon. friend from Marquette. He has pictured the British tariff as being everything to be desired. He tells us to take the duty off silks and satins, broad cloth, feathers, bonnets, laces, and things of that nature and put it on tea.

Hon. Mr. POWER—That is not what he says.

Hon. Mr. READ—He did not say it in so many words.

Hon. Mr. POWER—He said to take it off coal oil.

Hon. Mr. READ—He said, to put it on tea. That is to do as the British people do. Take it off the poor man's beer and put it on his tea. That is what the British people do.

Hon. Mr. SCOTT—They have it on the beer too, have they not?

Hon. Mr. READ—No, not for the poor man. Allow me to tell you that the poor man's beer in England is not taxed. When a man lives in a house for which he pays £10 sterling a year he is at liberty to brew beer for his own use without paying a license or taxes, and can brew for a neighbour without paying a license or taxes; and consequently the conclusion is to take the tax off beer to that extent and put it on tea. Now, I do not think that our people would like to have the ladies go around in silks and satins and the gentlemen in broad cloth and deprive a breakfeast table of free tea, coffee, fruits of all sorts, prunes, raisins, currants and all such goods. There is nothing in this list about silks, satins, velvets, laces or any of those luxuries that the rich wear. The tariff question is a very wide one, and I might detain the House for a long time, but the general wish is to conclude the debate on the Address to-night, so I will say nothing further. I do not know that it would be out of place to ask the Minister of Agriculture whether the British Government have been invoked to send to this country experts to see whether pleuro-pneumonia exists in this country. If they have not been invoked in that direction I think they should be at once.

Hon. Mr. ANGERS—I can give the hon. gentleman the information which he requires. The Government of Canada have solicited the Board of Trade in England to send experts here to visit Canada from Halifax to British Columbia, to ascertain whether there was any pleuro-pneumonia in the Dominion, and although England is very rich we offered to pay the expenses.

Hon. Mr. READ—I am very pleased to know that the Government has been alive to our interests in relation to this industry—an industry of $9,000,000 exports a year. That trade, too, is in its infancy. Our great North-west, which is calculated to produce enormous quantities of cattle, must find a market. It is claimed that the natural market is the United States. They sent over 400,000 head last year to England alone, speaking roundly. That trade has only been in existence for a short time. A friend of mine sent the first load that was shipped to England. I recollect he sent 45 head and he thought it was a wonderful thing. But the trade is progressing now, and we must depend on the cow and her products for agricultural exports. You cannot make money now by growing grain and selling it. But there is money to be made in the other direction. I have handled cattle in this country from 1836 to the present day continuously. I have never been troubled with any disease among the cattle. I recollect well when the rinderpest was raging and I had 500 head of oxen tied up, I used to go in among them and think to myself what a havoc there would be if that disease broke out. But we never had any disease among the cattle.

Hon. Mr. McINNES (B.C.)—What is the necessity of getting a veterinary surgeon to come over from England when we have experts here?

Hon. Mr. ALLAN—They want to be convinced on their own evidence.

Hon. Mr. McINNES (B.C.)—Is the word of a veterinary surgeon in Canada of so little account that it will not be taken in England?

Hon. Mr. READ—John Bull takes nothing for granted. You have to satisfy him.

Hon. Mr. ANGERS—We offered to have the experts of England visit this country to see whether there was any pleuro-pneumonia in it. Not that we did not rely on the evidence of our veterinary surgeons, but to show the people of England that we are not afraid of investigation.

Hon. Mr. McINNES (B.C.)—There never as any pleuro-pneumonia in Canada.

Hon. Mr. ANGERS—No, there never was, and we were so sure of the fact that we challenged them on the other side to send across a surgeon for themselves if they did not wish to take our word.

Hon. Mr. McINNES (B.C.)—I think our veterinary surgeons should be good enough for that.

Hon. Mr. BOWELL—The hon. gentleman must understand this fact, that there were two of the cattle in a cargo sent from this country that were found to have a disease of some character or other, or it was pretended that they had. And the veterinary surgeon of the Board of Trade in England reported to the Board that it was pleuro-pneumonia. He persists in that statement to the present day, notwithstanding the fact that we sent our veterinary surgeons from one end of the country to the other, in order to ascertain if there was a possibility of the existence of that or any other disease. Notwithstanding that, whether it be in the interests of the home producer or not I do not say, he still persists in it. Then my hon. friend suggests the propriety of inviting that very gentleman to Canada to make an examination. Surely my hon. friend from the Pacific coast would not find fault with the position taken by the Government of Canada in order to prove beyond a doubt the correctness of our statements, and for that reason we offered to pay the expenses.

Hon. Mr. McINNES, (B.C.)—I may say that I saw in the public press a statement that it was satisfactorily proven that the cases referred to were not pleuro-pneumonia. According to what the hon. gentleman has said, that information that I saw in the public press was not correct. Of course I accept the hon. gentleman's statement.

Hon. Mr. ANGERS—We are convinced that it was not.

Hon. Mr. BOWELL—The hon. gentleman is quite correct in the statement that he made, still that did not change the opinion at home and we desire to convince him also.

Hon. Mr. READ—I see that the hon. gentleman from Marquette has just come in, and I will refer a little to his policy. He wants the tariff of England—he wants to revive the Stamp Act, and adopt similar means to raise a revenue. Now, if I have to take a receipt I do not want to have to run all through the country to get a stamp to make that receipt valid.

Hon. Mr. BOULTON—I, as a farmer, do not want to pay 8 cents a gallon on coal oil.

Hon. Mr. READ—If I owe a man a dollar or two, and have to give him a cheque, I do not want to have to put a stamp on that cheque. We had some experience in this country of the Stamp Act. We know it was the lawyers' harvest. There was a law suit about almost every other bill, because the man only put 3 cents on it instead of 6 cents, or he did not mark them off, or he failed to do something that the law required him to do. I do not want that in this country again, and I would rather pay a little extra on my coal oil than have to stamp every cheque and receipt that I gave.

Hon. Mr. BOULTON—Perhaps the hon. gentleman uses the electric light.

Hon. Mr. READ—A good deal has been said about the condition of affairs in the neighbouring country. Recently the *Globe* sent commissioners to interview the farmers in this country, and they subsequently visited the United States for the same purpose. Here is the opinion of a farmer in Orleans county, one of the finest parts of the state of New York, He says:—"I could have sold my farm ten years ago for $150 an acre, to day I could not get $100 an acre." Then he speaks of the price of binders, "I have to pay $125 for a binder." We can buy one here for less. He says, "I pay $55 for a six-feet mower." We can buy one for considerably less than that here. He speaks of other implements all of which we can buy in Canada at lower prices. Another farmer says that a great portion of the farms are more or less mortgaged. In fact, everybody admits that agriculture is seriously depressed all over the world. If we were in a worse position—I say "we" because I live on a farm—than other people, I would think there was something wrong either with the Government or with the country, but we find that we are better off than most people. No people in the world live better than our own. It is true we have not any too much money, but how could we have, in so short a time, large accumulations of wealth? Where I am standing now was a wilderness within the memory of men yet living. Our people have had to clear the land, erect buildings, construct roads and bring the soil under cultivation, and we cannot expect in so short a time to have a large accumulation of wealth.

Hon. Mr. O'DONOHOE—What does the hon. gentleman consider the value of lands in Canada to-day as compared with their value ten years ago, in the district with which the hon. gentleman is acquainted?

Hon. Mr. READ—I think land has decreased 30 to 40 per cent in value; but has it not decreased all over the world? Has it not decreased in the state of New York?

Hon. Mr. McINNES (B.C.)—It has not decreased in British Columbia.

Hon. Mr. READ—British Columbia is all rocks.

Hon. Mr. BOWELL—The hon. gentleman would not say that if he would visit British Columbia.

Hon. Mr. READ—Our lands have depreciated in value, it is true, but so have lands everywhere else. Recently land twenty miles from London, Eng., was sold for £10 per acre. Within my time it would not have been considered dear at £60 or £70 an acre. I hope that my hon. friend from Marquette will some time have a better scheme to present to us than the adoption of England's tariff policy.

Hon. Mr. BERNIER—Being a new member of this honourable House, it was indeed very far from my intention to take part in the debate on the Address, but the reference made by the hon. gentleman from Marquette to the school question of Manitoba seems to impose upon me the duty of making one or two remarks, for which I request the indulgence of this honourable House. I have first to acknowledge the liberal spirit with which he has dealt with the question, but the hon. gentleman has gone a little further than the mere expression of sentiment. He has stated facts and has given vent to opinions from which very important inferences are to be made. He has said that the difficulties now existing as to school matters in Manitoba could not be settled except in a constitutional way. In that I quite agree with the hon. gentleman. It must be well understood all over the land that the Roman Catholics do not claim extra constitutional privileges. They want nothing else than the fair application of the constitution to their case. The hon. gentleman has, moreover, said most distinctly that there can be no doubt that the intention of the Parliament in giving a constitution to the province of Manitoba, was that the minority, whatever might be its complexion, should have its separate schools and enjoy all the franchises accorded to British citizens in the way of taxation and in sharing the educational grants. Now, I say, since it was the undoubted intention of Parliament to grant such a franchise, then it becomes a mere question of honesty to construe the constitution, so as to give effect to that intention and not to take advantage of some ambiguity which may exist in the minds of some people with regard to the text of the Manitoba Act. Honesty is the best policy, says a maxim. And this maxim is not only true, but also a most constitutional one. The hon. gentleman from Marquette having stated that according to the true intent of the constitution, the Roman Catholics had a guarantee that they would not be dispossessed of the management of their schools nor of their share of the public moneys appropriated to education, he goes further and says that according to his mind, it would be fair for the Canadian Parliament to render them justice, at least for a portion of the province. And justice in this matter cannot mean anything else than the restoration of the status the Catholics had in the province previous to the legislation of 1890. It is a great satisfaction to me to be able to agree with the hon. gentleman in all these utterances. But where I cannot agree with him, is when he makes a distinction between that portion of the province as originally constituted and the portion added afterwards. He is quite willing that justice be rendered to the Catholics living within the original limits of the province, but he contends that those living outside of such limits have no claims, because that portion of the territory was not contemplated in the promises made to the minority, or in the agreements entered into at the time of the creation of the province. I believe that the hon. gentleman is quite mistaken in his contention. I do not want to enter into a full discussion of whether the added territory comes within the operation of the Manitoba Act or not. But I say this: This added territory comes within or without the operation of the Manitoba Act. If it comes within, then the same justice that the hon. gentleman is prepared to extend to the old province must also be extended to the added territory. If on the other hand, it does not come within the operation of the Manitoba Act, it must come within the operation of some other Act, and most assuredly there is no other Act that could apply in that case than the Confederation Act itself. Now, the Confederation Act says most distinctly that in each case when any province of the Confederation shall have established a system of separate schools after the Union, then there shall lie an appeal to His Excellency the Governor-General in Council against any trespass on the rights or privileges of the minority, which is equivalent to saying that the province shall then be debarred of the power to do away with that system. As a matter of fact, the province of Manitoba has established in the added territory a system of separate schools after the Union, and I say that even taking the view that the promises and agreements which were intended to be embodied in the Manitoba Act could not apply to such territory, the Roman Catholics living in that part would still, without any question and even *a fortiori*, be entitled to justice and protection. In conclusion, I would say that whenever the Parliament of Canada is prepared to render full justice to the minority in the province of Manitoba, the stand taken, in the main, by the hon. gentleman from Marquette, shows that their action will commend itself to the good sense and fairness of the people at large.

Hon. Mr. POWER—The discussion upon the Address in reply to His Excellency's speech has taken a much wider scope than usual this session, and I must say for myself that I have been placed at a disadvantage. I supposed that we were going to have the usual running commentary on the paragraphs of the Address which had been the custom in this House, and did not calculate upon the prolonged debate upon the trade question with which we have been favoured. I do not feel prepared to enter into a discussion of the trade question at any length. At the beginning I should like to ask a question of the hon. Minister of Agriculture. If I understood him rightly, he stated that the exportation of eggs from this country during 1892, was greater than during 1891.

Hon. Mr. ANGERS—Certainly.

Hon. Mr. POWER—Then that relieves my mind very considerably, because it shows that I was right when I intimated that I had some doubts as to the reliability of the statistics of which the hon. gentleman gave us so many.

Hon. Mr. ANGERS—The general export of eggs has increased in the proportion that I have mentioned.

Hon. Mr. POWER—I stated that I hardly thought that the public records bore out that assertion. I wish to show that I was correct in what I said, and that my hon. friend's informant misled him. Of course, I do not suppose that the hon. gentleman is responsible for the figures that he uses: they are furnished by the officers of his department. If we find that in one particular the hon. gentleman's figures are unreliable, it naturally shakes our faith in all that he has submitted. I take the Trade Returns for 1892, page 435, and I go to the item of eggs, and find that the total export of eggs, the produce of Canada, was 7,931,204 dozen, and their value was $1,089,798. I turn to page 433 of the Trade Returns for 1891, and I find that the total quantity of eggs exported was 8,022,935 dozen, that is some 100,000 dozens more than in the succeeding year, and that the value of the eggs exported was $1,160,359. that is about $70,000 more than in the previous year; so that instead of 1892 being a better year for eggs than 1891, it was not quite so good.

Hon. Mr. ANGERS—I wish to say that I mentioned that this result was under the McKinley tariff.

Hon. Mr. POWER—That does not make the slightest difference. The hon. gentleman said that the export was greater in 1892 than in 1891.

Hon. Mr. ANGERS—Certainly, in foreign markets other than the United States.

Hon. Mr. POWER—The hon. gentleman stated that the total export for 1892 was greater than the export for 1891: the Trade Returns show the reverse. The hon. gentleman's inaccuracy on this point throws doubt upon all his figures. Now, I shall proceed to say a few words directly on the Address. The first paragraph to which I shall refer is the following:—

> We are glad to learn from Your Excellency that the increase in trade, as illustrated by the exports and imports during the period for which the official returns have been prepared, has been most gratifying, and has continued down to the present time, with promise that the volume of trade during the current year will exceed that of any year in the history of the Dominion.

I do not raise any question about the total volume of trade. All I can say is the increase of trade to which His Excellency refers has not extended to the Maritime Provinces, and the trade returns show that, both as to exports and imports, the trade of the Maritime Provinces was less last year than in the previous year. Judging from what I hear from my business friends, the falling off since the 1st of July last, is in greater proportion than in the year for which we have the returns. As so much has been said about the trade question, I may be pardoned for saying a few words on the subject. It presents itself in a different way to Parliament this year from that in which it was presented last year. In the first place, we have had a complete revolution in the neighbouring republic, which was the great stronghold of protection on this continent, a country whose example we followed by enacting a protective tariff and whose example we have since followed to a certain extent in partially doing away with the protective tariff. When the United States took the duty off sugar, their example was followed here; and I think it is only fair to assume that when the people of the United States have come to the conclusion—they are a people a good deal like ourselves, and, I presume, almost as intelligent as we are and fully alive to their own interests—when they have come to the conclusion, by so large a majority, that they do not any longer want protection, it is not unnatural to expect that our people will come to the same conclusion. There are also indications in Canada that this policy which has been boasted of so much for so many years and of which we have heard a good deal of praise in this House during the past two or three days, that even here in Canada and amongst the members of the Conservative party, that policy is becoming discredited. Although the hon. gentlemen who represent the Government in this House have talked protection pretty strongly and boldly, we find in the other House of Parliament that Ministers talk in a different strain. For instance, yesterday, when the subject of binder twine was under discussion, the Minister of Finance intimated that a change would be made in the tariff and that the duty on binder twine, which has been complained of so long by the farmers of the country, would be removed or reduced; and I think we shall find the hon. gentlemen within two or three years on our side, so far as the tariff theory is concerned. My statement being that of an unreconstructed Liberal, might be taken perhaps as not worth very much, but I can produce a statement made by a gentleman who has, until a very recent period, stood high in the councils of the Conservative party, and who, according to his own statement, has been consulted in all the important changes of government made during many years. That gentleman, the member for North Simcoe in the other House, made a speech at Stayner, in his own constituency, the other day, and said a great many things which, I think, bear the impress of common sense—things which, while he remained a follower of hon. gentlemen opposite, he could not very well say, but which, now that he is unshackled, he is able to say, and he tells the truth. This is what he says about the protective policy:—

> I never proposed that the great masses, the great consuming masses of this country, should be for ever burdened by an enormous tax, which it was necessary to impose for a time to protect infant industries. But, gentlemen, these industries are not always infants; they ought to grow up and do something for themselves. We cannot afford to be always spoon-feeding. (Hear, hear.) The question now is, has the time arrived when these little tottering things should get out and walk alone? (Laughter.) Now, so far as the mother country is concerned, she acts as she considers best in her own interests, and we for our part are bound to act in our own interest and for our own good. If we can do well without infringing on the mother country, we should, but if we cannot do well without infringing we must do it, for our own interests must be the first consideration. But let me tell you that we have imposed upon goods of the mother country a much larger duty than we have imposed upon goods coming from the United States, her great competitor. Almost 44 per cent of the importations from the States are free goods, something we do not do to please them but to benefit ourselves, while only 25 per cent are free from the mother country, for the same reason; but if you take both, we impose a duty of 29 per cent on Great Britain to 25 per cent on the United States, and if you take the whole list, free and dutiable, you will find the duty is 21 per cent to Great Britain and 14 per cent to the United States. I do not ask you to change the policy on that account, but draw your attention to this to show you how we stand. The duty at present runs all the way from 5 to 100 per cent, nay, more in some cases. Do you understand what this means? It means if you buy $10 worth of goods you pay $20 for it. This is not a tariff for revenue purposes, it is a tariff designed to prevent importations and to protect the home manufacturers.

Hon. Mr. SMITH—On what classes of goods is there fully 100 per cent duty charged?

Hon. Mr. POWER—There are some imported articles which are doubled in price when the duty is paid. Mr. McCarthy refers to the McKinley tariff, but does not take the strange gound taken by the Minister of Agriculture, that this was framed at the suggestion of Canadians, and for the mere purpose of worrying Canada. He goes on towards the end to say:

> But I am concerned at present more with the effect of the trade policy which now prevails upon the other industries of the country, excepting from that consideration the manufacturers themselves. In other words, it is the farmer, the lumberer, the fishermen and the other consumers, forming the great bulk of the community, whose welfare requires consideration at this moment. It is undeniable that the tariff is exceedingly burdensome, unnecessarily so, if it be considered merely from the stand-point of a revenue-producing tariff. When it is considered that the taxes range all the way from 20 to 100 per cent, it is idle to pretend that such a scale of taxation is necessary for revenue purposes. But is it not also true and capable of demonstration that the indirect tax, or, to put it in other words, the increased price of the articles which are manufactured owing to the high tariff, adds very considerably to the burdens of the consumers, and brings up in the plainest possible manner the question whether the time has not now come for the consumers to say to the manufacturers:—"You must either carry on your business on more equal terms or you must cease to carry it on at all. You have been supported in your infancy, you have been permitted an opportunity of establishing your industries at the expense, more or less, of the vast bulk of the people, and you ought now to be prepared to stand alone and to withstand the ordinary competition to which your business, like that of all other occupations, may be exposed." It must be remembered, too, that some of these manufacturing industries have formed combinations; the competition which it was hoped would regulate the price of the home market does not prevail, and that the tendency

> towards combinations amongst manufacturers is becoming more evident every day. We have all the cotton industries of the country under one management. The same may be said in connection with the manufacture of agricultural implements. These considerations have led me to the conclusion that the time has arrived for a complete revision of our custom laws. They should be simplified, equalized, and, what perhaps is more important, or certainly not less important, the duties should be materially reduced.

Whether it was dissatisfaction with the tariff policy of the Government or some other cause which induced the hon. gentleman from North Simcoe to withdraw his support from the Government, I do not pretend to say; but, no doubt, he speaks there the language of truth and wisdom, and the indications which we had in the other branch of Parliament yesterday go to show that his speech really points the direction in which our policy is to trend for the future. I do not propose to deal at any great length with the Trade and Navigation Returns. I make this general remark with respect to the returns. The hon. Minister of Trade and Commerce, and, I think also, the hon. Minister of Agriculture, laid stress upon the fact that our exports had increased considerably since 1878. That is perfectly true; but these hon. gentlemen did not go further, as they might have gone, and point out that the increase had taken place altogether in the products of the forest, the farm and the mine; because if they had taken pains to point that out, every one could have seen that the lumberman, the farmer and the miner could not be benefited by a protective tariff, the only effect of which was to make his necessaries of life dearer. Our exports of manufactures have practically not increased at all; and the National Policy, so called, has failed altogether in its object. The great object was to make Canada a manufacturing country.

Hon. Mr. BOWELL—I think the hon. gentleman will remember that I did refer to the exportation of the products of the mine and also the increase of the exportation of our manufactures.

Hon. Mr. POWER—The increase of exports of manufactures is infinitesimal—something not worth mentioning.

Hon. Mr. BOWELL—Still it is an increase.

Hon. Mr. POWER—It does not form any important item in the increase at all.

Hon. Mr. BOWELL—My only object in calling the attention of the House to it, is, I understood the hon. gentleman to say that neither the hon. Minister of Agriculture nor myself had referred to the exports of the mine and forest.

Hon. Mr. POWER—I meant that they had not called attention to the fact that the manufacturers did not tend to materially increase the exports. Take the dairy industry of which the hon. member from Quinté has spoken. No one will pretend to say that the duties tend to increase our exports of butter, cheese or cattle.

Hon. Mr. BOWELL—The duty is the same as it was when the hon. gentlemen's friends were in power on those articles.

Hon. Mr. POWER—On which articles?

Hon. Mr. BOWELL—Butter and cheese.

Hon. Mr. POWER—But we do not import them. Our export is not increased by any tariff. We are sending away enormous quantities of dairy products, and consequently the tariff does not affect them, while it does increase the cost of articles which make the raw material of the farmer. The hon. gentleman laid a good deal of stress on the fact that the raw materials of certain manufacturers were allowed to come in free. Now, why should the manufacturers be selected for that sort of favour? Why should not the necessaries of life which are the raw material for the farmer come in free just as well? The Minister of Trade and Commere, and, I think also, the Minister of Agriculture, referred to the fact that the Government had taken the duty off tin and sugar. That is perfectly true, and the Government, so far, did well. When the Government put the duty on tin it was a good thing, and when the Government put the duty on sugar they claimed it was an admirable thing—that it showed wonderful statesmanship. When they took the duty off again it is a still more admirable piece of statesmanship. "Now, you see it and now you don't." It was a magnificent thing to put a duty on cordage, and when, before the end of this session, the duty is taken off cordage, we shall be called on to admire the wonderful statesmanship of the Conservative Government. If it is a good thing to take the duty off tin—and I think it is—how about the duty on iron? The excessive duty on iron did not form a part of the original National Policy. The hon. gentleman who is now acting as High Commissioner in Europe, acted for one session as Finance Minister here, and he placed the duty on iron. Iron enters into the manufacture of almost every implement used by the working people of this country. If it is a good and statesmanlike thing to take the duty off tin, as it is, then it would be a still more statesmanlike thing to take the duty off iron; and I hope the Minister of Trade and Commerce will submit for the approval of this House—if not this session at least next session—a measure reducing the duty on iron to a reasonable figure; and if he claims for that measure that it is statesmanlike, I, for one, shall be quite prepared to acknowledge the justice of the claim. But it is rather difficult to argue with people like the Liberal-Conservatives. We were prepared to contest their allegation that protection on sugar was a good thing; but when they take the duty off sugar we have to agree with them when they say that their doing so is a good thing. It really comes down to this: The thing which I have always said about the Liberal-Conservative party—they are just the same under their present leader as under their former leader—is that the one great end of statesmanship is that the Liberal-Conservative party shall be in power. The Liberal-Conservative party are prepared to sacrifice principles, if they have any, consistency, everything, provided they can remain in power; and possibly after all it is only a waste of valuable breath to undertake to discuss their policy.

Hon. Mr. BOWELL—That is what the people think.

Hon. Mr. POWER—I find in the next paragraph of the speech:

> It affords us much pleasure to hear that the revenues of the country have likewise provided for all the services for which Parliament has made appropriation, and that the operation of the Government railways has been less burdensome, as regards the difference between income and expenditure, than has been the case for a long term of years previously.

Now, I hope that statement, which refers to the Intercolonial Railway, is correct in the ordinary meaning of the words. I notice that the Minister or Railways stated in another place yesterday, that for the six months ending the first of January, the deficit in the operation of the Intercolonial Railway, was only $2,700. I hope that that statement is perfectly correct and reliable. It may seem ungracious for me to express any doubt whatever about the matter; but I cannot help, remembering that a good many years ago—as many as ten years ago at any rate—when the hon. gentleman who is now High Commissioner at London was Minister of Railways, it was announced to Parliament that the deficit on the Intercolonial Railway had been got rid of, and that there was a small balance on the right side, that balance was secured largely by modifications in the method of book-keeping in connection with the Intercolonial Railway, and to a considerable extent by allowing the rolling stock and road-bed and the staff to get below the position at which they should have been maintained. I trust it is not the case in the present instance. I have no doubt that by proper business management the Intercolonial Railway can be made to pay; and I am disposed to think, as far as I can judge, that the present Minister of Railways is dealing with the road in a business-like way, and that the era of deficits on the Intercolonial Railway is nearly at an end. I may say that we had a discussion here last session on the Intercolonial Railway, and I took occasion to express an opinion with respect to certain changes which might be made in its management with advantage, and I am glad to see that one of these changes has been made by the Government—not of course on my recommendation—but simply because on looking on the thing as business men, the Minister of Railways and the other members of the Government were satisfied that it was desirable. The manager of the Intercolonial Railway, is now stationed at Moncton on the road, and not at Ottawa, some 300 miles from the western terminus of the road; and I am satisfied that if Mr. Pottinger is allowed a sufficient liberty of action—if he is not cramped and interfered with too much by the deputy head or the Minister—we shall have more satisfactory reports from the Intercolonial Railway, in the future. I rejoice at this fact, not merely because it is a satisfactory thing that the public works of the country should not lose money for the country, but because of the fact that the Intercolonial Railway, if even self-sustaining, takes away the only argument in which there was any force for handing over that great public work to any private company. I am glad to find that the rumours which were current that it was proposed to transfer the Intercolonial Railway to a private company, have apparently had no foundation in fact. I know the feeling throughout the Maritime Provinces against the proposed transfer was almost unanimous; and I am pleased to gather that our fears were unfounded.

The next paragraph in the Address is as follows:—

> We are also gratified to hear that in Manitoba and the North-west Territories the increase in immigration has been decidedly encouraging, both as regards the number of persons who have come from other countries and as regards the number of homestead entries made by settlers of all nationalities.

That announcement is a very satisfactory one, if the immigrants who go into that country are of good character, and come from abroad. For my own part I cannot rejoice at any transfer of the people from one section of Canada to another. I think that the Lower Provinces, taken together, are just as good a country, if not better than the North-west, and I cannot rejoice at the fact of people leaving Nova Scotia, or New Brunswick, or Prince Edward Island to go to Manitoba. As a matter of fact, I am afraid that only a small proportion of the people who do leave the Maritime Provinces go to the North-west. Of course, it is better that the people who leave the older provinces should go to the western part of our own territory rather than to a foreign country. I trust that the meaning of this paragraph is that we are getting in good immigrants from abroad, and that the people who are leaving Ontario and the other older provinces are going in a larger proportion to our own North-west than they have in the past. I have laid a good deal of stress upon the desirability of having a good class of immigrants from abroad. That remark applies not only to the North-west but to the rest of Canada, and my attention has been particularly directed to it by a passage in the report of the Minister of Justice upon the Penitentiaries. I find at page 7, in the introduction to that report, a passage written by the Inspector of Penitentiaries, which deserves the attention of the Government, and more particularly of the Minister of the Interior. It is as follows:—

> Of late years, our penitentiaries have had a most undesirable, because a most hardened and irreclaimable class of criminals added to their numbers. This is particularly the case at Kingston and St. Vincent de Paul, where those cockney sneak thieves and pickpockets, referred to, are numerous. These pests, gathered from the slums of St. Giles and East London, after short terms of so-called probation, in a certain notoriously mismanaged refuge, are periodically shipped out to Canada, as immigrants deserving of encouragement and support. With very few exceptions—as the police of our cities and towns know—these street Arabs from Whitechapel and Rotherhithe and Ratcliff and other like haunts of vice, speedily return to their old habits, on arriving in Canada, and, as a consequence, become a burden and an expense upon the tax-payers of the Dominion, in our reformatories, jails and penitentiaries. Steeped as they have been in crime, from infancy, because inherited, they are found to be the most troublesome and worst conducted convicts that reach our penitentiaries. Their evil influence in corrupting others is potent and pernicious. The general verdict of the chaplains and the other prison officers, regarding those youthful imitators of Fagin and Bill Sykes, is most unfavourable. They consider them dead to all good influences and that their reformation is hopeless. In order to protect the community, against the depredations of such thoroughly trained malefactors, and our youth, especially, against the evil effects of their example and influence, it were advisable that effectual means be adopted to prevent mistaken philanthropists, abroad and at home, aiding and encouraging the transplanting to Canada of exotics so upas-like and so unsuited to the soil and moral atmosphere of the country.

Just one other remark upon this paragraph, hon. gentlemen; I think that if we would try to make Canada a cheap country to live in, and adopt a policy which would bring about that result, we should not only keep our own people at home, but we would bring in outsiders of a desirable character.

Something has been said, hon. gentlemen—in fact a good deal has been said—about the exodus. There are some remarks which I should like to make upon that subject, even though I have already spoken for some time; and I think that inasmuch as other hon. gentlemen have dealt with the question, I may as well say a few words. I think that there has been a great deal of exaggeration and rather wild talk, if I may say so, from both parties in connection with this subject of the exodus. It is perfectly reasonable and natural that there should be a certain movement of population from east to west, at any rate until we get to the shores of the Pacific; whether our worthy friends in British Columbia will move out to the Sandwich Islands or not I do not know; but up to that limit I think it is natural there should be a movement from east to west. It is perhaps not unreasonable either that there should be a certain movement of population from north to south; that is, from a very severe climate to a more moderate one. And, hon. gentlemen, that exodus, or that change of population I think, has gone on almost from the beginning; that is, it has been going on more or less for the last 40 or 50 years. The hon. gentlemen opposite seem to think it very unfair and unreasonable that any reference should be made by gentlemen on this side of the House to this exodus, and that the Government should be held in any sense responsible for the exodus. Well, if the Liberal-Conservatives of former times had not held the Liberal Government of that day responsible, these gentlemen could appeal to us with a very much better grace; but the fact is that when, under the administration of Mr. Mackenzie, an exodus much smaller in volume than that which we have had during the past few years was taking place, our Liberal-Conservative friends arose, not only in Parliament, but all over the country, and denounced the Government as being the authors of the exodus and gave the people to understand that if they were only put into the places of those miserable "flies on the wheel" they would keep the population in the country. Now, hon. gentlemen, you see those rash, unscrupulous and reckless statements come back again, like chickens coming home to roost. These statements are now coming back to the hon. gentlemen, making them feel uncomfortable. I fancy the result of the last census caused more discomfort in the ranks of the Conservative party in this country than any publication which has taken place in the last 20 years. In order to show that I am not drawing upon my imagination, I find that, in the House of Commons, it was moved by Sir John A. Macdonald, that was when Mr. Mackenzie was in power, "That this House is of opinion that the welfare of Canada requires the adoption of a National Policy which by a judicious adjustment of the tariff, will benefit and foster the agricultural, mining, manufacturing, and other interests of the Dominion; that such a policy will retain in Canada thousands of our fellow-countrymen now obliged to expatriate themselves in search of the employment now denied them at home." That was the original National Policy. The exodus was to be stopped by the National Policy; and there is an extract given in this paper from a speech made by Sir John A. Macdonald at Parkdale to the same effect. Now, hon. gentlemen, the exodus has not stopped; it has increased, and the hon. gentlemen are made uncomfortable by it. While on the subject of the exodus, although perhaps it does not come in very properly here, I cannot help making an observation on the rather extraordinary logic of the hon. Minister of Agriculture. The hon. gentleman from Ottawa in his speech upon the Address made a reference to the fact that the population of the county of Welland, one of the most favoured spots upon the earth—I think one would be safe in saying that—had fallen off by one thousand during the decade from 1881 to 1891; and the hon. Minister of Agriculture undertook to dispose of that fact. That falling off would strike one as a very remarkable circumstance.

Hon. Mr. ANGERS—I stated that they went to Hamilton, Toronto, Algoma, Nipissing and Manitoba, and that they were not all gone to the States.

Hon. Mr. POWER—Exactly; that is the logic. It struck me as very remarkable. I have no doubt some of these people who left the county of Welland did go to other parts of the Dominion; it would be very sad if all the people who left any part of Canada went to the United States; and I should admit that there was some show of logic in the argument of the hon. Minister, if he had been able to show that the population of the country, as a whole, had kept up; but the fact is that the population which had increased 17 per cent betwen 1871 and 1881, increased only 11 per cent between 1881 and 1891, in face of the fact that the returns of the Agriculture Department showed that nearly 800,000 people had come here from outside; so that we had lost not only a good portion of our natural increase, but had lost the 800,000 who came in besides.

Hon. Mr. ANGERS—No; if the hon. gentleman will allow me, I will give him an explanation right off on this point, and I expect I will be called soon to discuss the very question he is raising now. I want to inform this House that the basis of the last census and the basis of the previous census are not the same.

Hon. Mr. POWER—Oh well, that is nothing new.

Hon. Mr. ANGERS—I beg pardon, there is a good deal in it. In the census of 1881 all the absentees, whether they had been out of the country for 4 or 5 years, were included in it.

Hon. Mr. POWER—If the hon. gentleman will allow me, that explanation has been made already in another place, and while I am willing to give way for anything new, I do not feel disposed to give way for that, if he will excuse me for saying so.

Hon. Mr. ANGERS—It has not been made this session.

Hon. Mr. POWER—If I am not mistaken, the Prime Minister made that statement in the House of Commons a day or two since.

Hon. Mr. ANGERS—No.

Hon. Mr. POWER—I will give the hon. gentleman and the Government the benefit of it. These hon. gentlemen controlled the censuses of 1871, 1881, and 1891; if the census of 1881 was a fraudulent one, as the hon. gentleman seems disposed to state now—

Hon. Mr. ANGERS—No.

Hon. Mr. POWER—and calculated to mislead, to make people believe the exodus was greater than it was, who is to blame for it?

Hon. Mr. ANGERS—It was not fraudulent.

Hon. Mr. POWER—With respect to the census of 1891, it may be they did not take as much account of the absentees as they did in the previous census; but I am satisfied as to this: the census as to manufactures, in 1891, is as misleading and unreliable as possible, and I am satisfied that the bulletin with respect to manufactures was put into its present shape simply in order to try and get over to some extent the bad feeling caused by the result of the census as to population.

The next paragraph which I propose to say a word about, is the paragraph with respect to Newfoundland. I am very glad indeed that the relations between the Dominion and Newfoundland are apparently not quite as strained as they were a little while ago. With respect to our difficulties with Newfoundland, I think it only fair to myself perhaps to say that, last session when this matter was under discussion, I took the ground that the Government of Canada were justified in the course which they took with respect to the proposed treaty between the United States and Newfoundland. The position I took to be this: it was not our duty, it was not the duty of the Government of Canada to look after the interests of Newfoundland; it was the duty of the Government of Canada to look after interests of Canada and the people of Canada, and there is no doubt that the treaty, the protocols of which were arranged between Mr. Blaine and Mr. Bond, would be most injurious to Canada and in my humble opinion exceedingly injurious to Newfoundland. Our Government looked after the interests of Canada and the Government of Newfoundland looked after her own interests, I presume; and the umpire between the two parties was the British Government. The British Government decided in favour of Canada, and I think that probably the people of Newfoundland, before very long, will rejoice that it was so; but there is just one point with respect to Newfoundland as to which I cannot agree with the hon. Minister of Trade and Commerce. In fact the hon. gentleman's language may be looked upon as indicating that the Government had made up their minds that they were prepared to take Newfoundland into Confederation. I do not know whether he spoke the sentiments of his colleagues, or whether he simply expressed his own opinion in that matter; but, hon. gentlemen, there is just one thing which I think the Government should see to before they take Newfoundland in; they should see that the question of the French shore is settled. We have a number of difficult questions to deal with as it is, and that question of the French shore of Newfoundland is a most difficult one; it involves England in difficulties with France continually. And if England, with all her naval strength, is not able to secure a satisfactory settlement of the French shore difficulty, how are we going to do it? Where is our navy? Do the hon. gentlemen propose, if they take in Newfoundland, to establish a navy and send war ships down to guard the interests of Canada on the French shore? I think it would be the height of folly for Canada to take Newfoundland into Confederation until that question has been settled. I fancy from what one reads in the papers that, as a nursery for French seamen the Newfoundland coast has become of less value; and it is possible that, before long, England may be able to secure a settlement of the French shore question, and then we could consider dispassionately the question of taking Newfoundland into the Confederation.

The next paragraph refers to the fact that the statute of 1887, relating to the Department of Trade and Commerce, and to the office of Solicitor-General having been brought into force, the appointments were made which were contemplated by that Act. Now, hon. gentlemen, I do not wish to be ungracious, because, possibly if it had not been for the passing of these Acts we should not have had the Minister of Trade and Commerce here, and I think we are all glad to have him here, and if we had to have a Conservative brought in, if we were to have a Conservative to come in from the other House, I do not know of any one we would have preferred to have rather than the hon. gentleman. I do not think the bringing into operation of those Acts is a matter of congratulation. Those Acts were passed in the session of 1887, for some political end. Just what the end was I do not know; probably the hon. Minister of Commerce knows. It was felt after they had been passed that the occasion which called for their passing had gone by, and although Sir John A. Macdonald allowed those Acts to remain on the Statute-book, he did not put them in operation, and I must say that I think now that they have been brought into operation just for the same reason for which they were passed—for some political end. It was well enough, perhaps, to substitute Comptrollers for Ministers of Customs and Inland Revenue, but I do not think there was any necessity for creating a Minister of Trade and Commerce. Those Comptrollers might have been put under the supervision of the Minister of Finance, or, we might have had a Minister of Trade and Commerce, and there would have been no necessity for those Comptrollers; the Minister of Trade and Commerce with his ordinary permanent deputies could have attended to all the work. It would puzzle the most astute lawyer or the most astute politician to tell just what particular useful function the comptrollers of Customs and Inland Revenue are now discharging, what work they are doing which could not be done by the Minister of Trade and Commerce, without their help, and with the help of his permanent deputies. The hon. gentleman from Victoria reminds me that this was explained in the House of Commons. That is hardly correct, one of the comptrollers stated he was about introducing a bill for the inspection of electric light plant; and I think it was stated subsequently that this bill had been prepared in the department the year before. It was not necessary to create a comptroller, a permanent officer, with a salary of $5,000 a year, for the purpose of doing a work of that sort. This, hon. gentlemen, calls my attention to the fact that we have already too many heads of departments. I think that now there are either 14 or 15 members of Government in Canada, and that all, with the exception of one or two—I do not know which, as I am not sure whether the hon. gentleman who was formerly Minister of Agriculture is still in the Government or not; but there are one or two without office, and there are 13 or 14 with offices. Now, hon. gentlemen, I think it is perfectly absurd that there should be so many heads of departments in a country with a population of only 5,000,000. In the United States, where they have a population of about 65,000,000, they have only 8 heads of departments. I am taking our own continent. In Mexico where there is a population of eleven and a half millions, there are only 7 heads of departments; and I think one can search the world through, go through all the British colonies, through all the independent republics, and even through the kingdoms on the continent of Europe, and not find a country where there are so many heads of departments as in Canada. Now, at a time when the Minister of Finance, is advocating economy in every department, it would have been much better policy not to have increased the number of heads and quasi-heads of departments.

One paragraph which has led to a great deal of discussion is that with respect to the difficulty on the subject of canal tolls. I have not very much to say about that. I think it is very much to be regretted that two countries which are supposed to be in the van of civilization, two countries like the United States and Canada, should be squabbling over such small matters. I think that it is very much to be regretted that these difficulties could not have been adjusted without any serious irritation.

Hon. Mr. ANGERS—Hear, hear.

Hon. Mr. POWER—As to the merits of the difficulties, I do not feel that I am prepared to speak; but I believe in giving the benefit of the doubt to my own Government, and I hope that, having taken a decided attitude, they will maintain it, and that they will not retreat from the position which they have taken, in the same way as has been done in certain other cases. There was one matter which, I had almost overlooked, hon. gentlemen, and I daresay a good many hon. gentlemen may think that it is a pity I had not; I know my junior colleague will, and that is, that there has been a good deal said during the present discussion about the Liberals running down the country. I thought we had heard the last of that; we have had more than one discussion on that subject here, and hon. gentlemen of the Conservative persuasion have been quite unable to point to any instance where Liberals have run down the country. To say that the Government is not what it ought to be, and that this country has not made the progress which it ought to have made, looking at its resources and the energy and intelligence of its population, is one thing, but to run the country itself down is another thing. I do not think we are bound in any way whatever to maintain that this country is the best governed in the world. It may be the finest country under the sun; but we are not bound to believe that the Government is worthy of the country; and I am inclined to think that if we had had a better Government for the last ten years we should have had a much better record both in the way of trade and of population. I suppose it may be looked upon as a rather presumptuous thing in me to say anything of a little difference that arose between the hon. gentleman who moved the Address and the hon. member from Ottawa. No doubt I may be told that these hon. gentlemen can settle the matter for themselves, but as a more or less disinterested bystander, I think I may state that there was a little mistake on both sides. The hon. member from Welland did not speak, as he was understood by the hon. member from Ottawa to have spoken, of all Liberals as being pessimists and guilty of all those offences of which he spoke; but there is no doubt that the language of the hon. gentleman from Welland, if one did not hear every word that he said, was liable to that construction; and if I had not been paying very marked attention to the words he used that would have been the impression left on my mind as it was the impression made on the minds of the hon. member from Ottawa. Violent and extreme language which may possibly be allowed on the platform, or even in the other branch of Parliament, is better not used here, where we are in the habit of being very quiet and calm. This little difference led to the use of very vigorous language by the Minister of Trade and Commerce with respect to the hon. gentleman from Ottawa, and he was followed by the hon. Minister of Agriculture in equally strong language.

Hon. Mr. ANGERS—I never said anything that was violent at all. I complimented the hon. gentleman from Ottawa on the style in which he made his thrust at my hon. friend from Welland.

Hon. Mr. POWER—Perhaps the hon. gentleman did not appreciate the force of what he said.

Hon. Mr. ANGERS—I fully take in the sense of every English word that I use, though I may not pronounce the language well.

Hon. Mr. POWER—The hon. gentleman speaks English perfectly. I did not refer to that at all. There are numbers of English-speaking people who do not realize the force of the language they use. I think I have been sometimes accused of that myself.

Hon. Mr. ANGERS—I never was myself yet, and when I say a thing I really mean it.

Hon. Mr. McINNES (B. C.)—Then it is to be regretted.

Hon. Mr. POWER—I knew the Minister of Trade and Commerce was straightforward and outspoken and meant what he said: I am glad to know that we have another Minister of the same kind in this House. It occurred to me that, considering that the hon. gentleman from Ottawa has sat in this Senate for 19 years, and never in that time had a serious quarrel with any member of the House, that he has never as far as I know said a disagreeable or unpleasant thing to any senator, it was on the whole rather unseemly that two gentlemen who had just come into the Senate should undertake to lecture him on his deportment as a member of the House. That was my impression. I do not think it was altogether seemly.

Hon. Mr. ANGERS—We only protested against the erroneous statement that the hon. gentleman made.

Hon. Mr. SCOTT—Name the erroneous statement.

Hon. Mr. ANGERS—The hon. gentleman said that the hon. member from Welland had been defeated. I said that his seat had been usurped.

Hon. Mr. POWER—The whole trend of the hon. gentleman's language was as I have indicated. With respect to the county of Welland, the statement of the hon. gentleman from Ottawa was quite correct. The hon, member who moved the Address had been defeated in Welland; that is no discredit to him at all; many a good man has met with the same fate. It is true that the candidate who opposed him was unseated. There was a new election and the Liberal candidate was returned, if I am not mistaken, by a larger majority than the gentleman who was unseated. That bears out the argument of the hon. gentleman from Ottawa that the people of Welland did not see eye to eye with the hon. member who moved the Address.

Hon. Mr. FERGUSON—I was not really defeated. My opponent was elected by corrupt means. I exposed those means and consequently I had the privilege of running again, because the election at which I was supposed to be defeated was irregular, illegal and wrong.

Hon. Mr. POWER—The question was what the attitude of the electors of Welland was towards the present administration. What the hon. gentleman says may be perfectly correct; but there was a subsequent election and the Liberal-Conservative candidate was defeated by a very large majority. It bears out the view that the hon. gentleman from Ottawa took.

Hon. Mr. FERGUSON—I was nine years a member of the other House and I never had an insulting word said to me while I was there. There is not a member of that body on either side that is not a personal friend of mine. I have never given cause for offence in that Chamber: I think I gave no cause for offence in this honourable House. I thought I was entitled to all the courtesy that any new member of the Senate should receive. I was born and bred and I have lived my life in this country, with a character unimpeachable, and if I was defeated I fell with my face to the foe, what every hon. member cannot boast of. When I came to this House I presumed I would be treated with that courtesy and respect that was due to a senator, and I was more than surprised when the hon. member from Ottawa, the leader of the Opposition in this House, that I have known for years, rose and personally attacked me.

Hon. Mr. SCOTT—The hon. gentleman entirely misunderstood me. I did not assail him.

Hon. Mr. FERGUSON—I said when I was closing my speech that I was unaccustomed to speaking in this House and I apologized if I had said anything that was out of the way, and therefore, I think, I was not deserving of the personal attack that the leader of the Opposition made on me.

Hon. Mr. POWER—I did not understand that there was a personal attack.

Hon. Mr. SCOTT—I think it is only fair and due to myself after the speech that the hon. gentleman has made, that I should be permitted to make an explanation. I have not seen the report of my remarks, but I am quite sure that no statement made by me was open to the charge to which we have just listened. I stated that the hon. gentleman was one of the most honoured and respected men in the county of Welland—those are the words I used or something similar. It was a perfectly fair matter for criticism that the hon. gentleman had not succeeded in the late election, and I very charitably ascribed it to the fact that owing to the fiscal policy of the Government many of his friends had gone elsewhere. Surely there was nothing wrong in that. It was a perfectly fair argument to use, and I added that he was one of the most respected men in the county of Welland.

Hon. Mr. ANGERS—The hon. gentleman also added that if the hon. gentleman had not been defeated, he would not have been a member of this House. That was the most offensive remark that he made.

Hon. Mr. SCOTT—It was our good fortune that he was defeated.

Hon. Mr. FERGUSON—If I thought that my defeat in Welland county had discredited me in the estimation of my fellow-countrymen, I should never have accepted a seat in the Senate. To show that the hon. member from Ottawa designed an attack on me, he came prepared with figures to show that there had been a loss of population in the county of Welland. When I rose to apologize and told the hon. member that I had no reference at all to the Liberal party when I spoke of the less than a score of pessimists in the country, and that I referred entirely to a few annexationists, the hon. gentleman waved me off with his hand in a most contemptuous way.

At six o'clock the Speaker left the Chair.

After Recess.

Hon. Mr. POWER resumed his speech. He said :—

The hon. gentleman from Quinté, and I think some other hon. gentleman, referred in terms of satisfaction to the fact that we had now two ministers in the Senate who are heads of departments. I think the hon. gentleman from Delanaudière expressed satisfaction—a qualified satisfaction—at that position of things. I quite concur with those two gentlemen in thinking that it is a matter for congratulation that we have two departmental officers in the Senate ; and I quite agree with the hon. gentleman from Delanaudière that the late Sir John Macdonald did not show the consideration for the Senate which might have been expected. I do not know that I quite concur with the hon. gentlemen from Delanaudière and Quinté in thinking that the Senate has very much reason for congratulating itself upon the lines adopted by the present Administration. We have no fault whatever to find with the two hon. gentlemen who have been placed in the Senate as ministers ; but I do think that, considering the fact that this Senate has almost ever since Confederation been a Conservative body—that it has faithfully followed the Conservative leaders and has voted as the Conservative leaders wished it to vote——

Hon. Mr. KAULBACH—No.

Hon. Mr. POWER—As a rule. There were one or two exceptions which simply make the rule clearer ; and I suppose that even a Conservative leader would not object to about one vote in a hundred being given differently from the way proposed. I say, considering that fact, it seems a little singular that a Conservative Premier should not have found in the Senate which had followed his party so faithfully and so long, gentlemen who were deemed suitable to take charge of the Government business in this House. It is not a matter which concerns the Opposition ; but I am a little surprised at the fact that things are so, and I should say that with its record the Senate had deserved something different.

A great deal has been said about the census. It has been referred to by different speakers and before recess I made some reference to it myself. I said it was to be expected that there would be a movement of population from east to west, and also a certain movement from north to south. Of course it was understood that the movement would be within reasonable limits. There has been a very considerable movement from England to the West ; but if you will look at the last census returns you will find that the population of overcrowded England has increased during the decade at about as rapid a rate as that of young and sparsely peopled Canada ; and I do not think you will find any large section of Great Britain where the population has been stationary as it has been in the Maritime Provinces of Canada. I have already pointed to the fact that the policy of protection as introduced by Sir John Macdonald had for its avowed object the keeping of our people at home. When one looks at the census returns given in the official records of Canada, one finds that whereas the increase between 1871 and 1881 was 18·97 per cent, it was only 11·74 per cent in the following decade. I am not going to say very much about the census generally, but I find that in the three Maritime Provinces there has been substantially no increase. In Prince Edward Island the increase was only 0·17 per cent; in New Brunswick there was no increase; and in Nova Scotia the increase was only 2·22 per cent. That is not a very cheering record; and, it does not matter what errors may have been made in the census of 1881, hon. gentlemen who come to this House from the Maritime Provinces are perfectly aware that the population of that part of the country is not increasing—there is no appreciable increase. In order to break the force of that fact, hon. gentlemen tell us that there are certain states in the neighbouring Union where the same condition of things exists. The percentage of increase in the population of the United States as a whole in the decade between 1880 and 1890, was 24·86. The increase in the North Atlantic states during that decade was 19·95 per cent.

Hon. Mr. HOWLAN—What do you call the North Atlantic States?

Hon. Mr. POWER—I shall give the details of the New England States:

			p.c.
Percentage of increase	in	Maine	1·87
do	do	New Hampshire	8·51
do	do	Vermont	0·04
do	do	Massachusetts	25·57
do	do	Rhode Island	24·94
do	do	Connecticut	19·84

I should be ashamed as a Canadian to institute a comparison between the neighbouring provinces of Canada and the three northern New England States. One might as well compare the Lake St. John country with Labrador as compare the fertile plains of Quebec with the rocky hills of New Hampshire and Vermont. These states possess almost no natural advantages. The hon. gentleman asked me to compare the provinces of Nova Scotia and New Brunswick and Prince Edward Island, gifted by nature beyond almost any other part of America, with those states. It is absurd. I am only surprised that the population of New Hampshire and Vermont has not fallen off very considerably in view of the very easy means of escape from these states.

Hon. Mr. KAULBACH—What about the state of Maine?

Hon. Mr. POWER—The increase in Maine was nearly as large as in Nova Scotia. I am quite satisfied that the hon. gentleman from Lunenburg will not undertake to compare the state of Maine, in the matter of natural resources, with his own province.

Hon. Mr. MacINNES (Burlington)—It is a large manufacturing state.

Hon. Mr. POWER—I was not aware that Maine was a large manufacturing state. I should like to know from my hon. friend why New Brunswick or Nova Scotia, is not a manufacturing province. We have certainly in Nova Scotia a great many more of those resources which go to constitute a manufacturing country than they have in the state of Maine. We have coal and iron as the hon. gentleman knows, while Maine has not. I should not think of comparing the province of New Brunswick with the state of Maine. In the old times when America was first settled, there were settlements in Nova Scotia and New Brunswick, and Maine was looked upon, I shall not say as a god-forsaken wilderness, but as something very like that. I am surprised that those hon. gentlemen who are continually giving us lectures on patriotism would undertake to institute comparisons between the northern New England States and our own provinces. Before I leave the census, I should like to say a word as to a statement made by the hon. Minister of Agriculture. The hon. gentleman from Shell River raised some question as to the value of the bulletin No. 8, "Manufactures," and it was said that very small establishments appeared in the bulletin. The Minister stated that there were no small establishments in the industrial bulletin, and I think he intimated that as a rule no place which employed less than 100 men.

Hon. Mr. ANGERS—Oh, no, not 100 men; I spoke of the capital.

Hon. Mr. POWER—Capital of $100.

Hon. Mr. ANGERS—That's what it is.

Hon. Mr. POWER—An industrial institution with a capital of $100 would not be extensive.

Hon. Mr. ANGERS—That is the minimum.

Hon. Mr. POWER—The point about the industrial census is this, that this bulletin has been compiled in such a way as to include under the head of manufactures a number of occupations which are generally not regarded as being manufactures at all, things upon which the National Policy, so called, has had no beneficial effect, and occupations which it was not intended to benefit. For instance, take coopers, carpenters, joiners, blacksmiths and so on—these are all included in this bulletin, and it is not pretended that the National Policy was intended for their benefit. I do not propose to take many items, but I find set down in British Columbia an item "gunsmiths." There were two establishments; their plant and tools were worth $1,350, and there were three employees. No one would think of calling these factories. Those are simply two gunsmiths' shops, one where the man was alone and the other where he had a boy with him, I presume. These little establishments figure more in the lower provinces than anywhere else. Here is an establishment in New Brunswick, there is only one of the kind, the value of the machinery and tools is put down at $800, and the number of employees, one. That is simply a man working by himself at his trade. Now, here is an establishment which does not come even within the very modest limit fixed by the Minister of Agriculture. Under the head "carving and gilding" is one establishment; the value of the machinery was $16; number of employees, one.

Hon. Mr. ANGERS—That is not put down as an industrial establishment.

Hon. Mr. POWER—Oh, yes, excuse me, it is. I am reading from an official bulletin, and perhaps the hon. gentleman is going to——

Hon. Mr. ANGERS—To revise it.

Hon. Mr. POWER—Perhaps he proposes to revise it.

Hon. Mr. ANGERS—Certainly.

Hon. Mr. POWER—But at present we have to take what we have got; we cannot tell what is in the hon. gentleman's mind. It may be that he sees the absurdity of these figures, and may propose to have the returns revised. It is very much to be regretted that he is not in a position to revise the returns of population in a satisfactory way too, although I do not see how he is to go back now to 1881 and find out just how many people who were in the United States and had been there five or six years were taken in that census. The only way is to do it in the sensible and honest way in which the census is taken in England—take the people who are on the spot when the census is taken; that is the only sensible and reliable way. I find in New Brunswick a manufactory of agricultural implements; there are two of those factories, the value of the tools, $50, and the number of employees two. Just fancy calling that a factory, where there is only one man, and where the cost of his tools and machinery is $25; there is only himself; he has no employees at all. Then here is a factory for making washing machines and wringers; there is only one factory and they have not given any value of the tools at all, and there is only one employee. One can form a fair idea of what the nature of these returns is from these samples I have given. I have of course selected the small ones; there are some large ones no doubt. Hon. gentlemen, we have had a good deal from the Trade Returns. I do not propose to say very much about the Trade Returns, but I think it would not be courteous to the hon. Minister of Trade and Commerce, and the other hon. Minister who dealt pretty largely with those returns, not to say a few words. The hon. gentleman from Shell River, if I remember rightly, took the ground, and so did the hon. gentleman from Ottawa, that the trade of Canada had not increased in the proportion in which it should, and I think it was the hon. gentleman from Shell River who said that substantially there had been very little increase in the commerce of Canada during twenty years, that in 1873 the commerce was nearly as great as it is now. On referring to the Trade Returns, I find that the hon. gentleman is not very far wrong. In 1873 the exports were a trifle less than $90,000,000, and the total imports were $128,000,000, and the duty paid was $13,017,000. Later on, times were bad, there was a depression all over the world, and Canada suffered from that depression just as other countries did, and the imports and exports of this country fell off about 1877, 1878 and 1879, and the hon. gentleman, the Minister of Agriculture, and, I think, his hon. colleague, attributed that falling off largely to the blighting influence of the commercial policy of the Liberal party. Now, hon. gentlemen, it must be remembered that the trade of Canada had increased between 1869 and 1874 to a very considerable extent, and it did that under the identical policy which continued in force until 1879, with the exception, I think, that in 1876 there was an increase of 2½ per cent made in the tariff. That was in the direction of the present tariff. So that the old policy of the Conservatives before 1873 and that of the Liberals up to 1878 was practically the same, and the policy—that is the tariff policy—could have had nothing to do with the rise or fall of the trade. Then the new policy came in, and there was after a time an increase in trade, not on account of the policy, I fancy, but because prosperity returned to Canada as well as to other parts of the world; and I find that in 1882 the total exports of Canada were $102,000,000 and the imports $119,000,000; and in the next year, 1883—ten years ago—the exports were $98,000,000, and the imports $132,000,000, and the figures are very nearly as high as the figures of last year, which were $113,963,000 exports as against $127,406,000 imports. The Trade Returns fluctuate a little, but there is this about our Trade Returns which you will not find in the Trade Returns of the mother country, old country as she is, that the increase in our trade during 20 years has been comparatively nothing; and if we took away the large additional exportation arising from the grain of the North-west, the exports of the old provinces which were exporting in 1878 would not be any greater than they were, or very little greater than they were then. I notice that the hon. Minister of Agriculture gave us some carefully prepared statistics with reference to the duty, and he pointed out that we were paying almost no more duty to-day, no higher percentage, that is the way in which he put it; the percentage of duty now was no greater than it was in 1878. Hon. gentlemen, I think that percentages are a very "kittle kind of cattle," and I think the better way is to take the whole burden. In 1878 the total amount of duties taken out of the people of this country was $12,795,000; in round numbers $12,800,000. In 1891 the total amount was $23,481,000; that is almost $11,000,000 more. Last year it was not quite so much as in 1891. The remission of the duties on sugar had its effect on the duties of last year.

Hon. Mr. DEVER—The excise would make it about even.

Hon. Mr. POWER—Probably the excise would make it even; but there is the fact that the increase of duties is about $10,000,000. Now, hon. gentlemen, considering that our population has increased by a very small fraction indeed, what are we to think? We find that the duties paid by this small population have risen from $12,750,000 in 1878 to $23,500,000 in 1891. Can any system of percentage or per capita, or any other sort of necromancy do away with this fact, that the population of this country, only half a million more than it was in 1878, pays nearly $11,000,000 more of taxes in the shape of customs duties than it paid in 1878? Hon. gentlemen try to persuade us that our burdens have not increased. The hon. Minister of Trade and Commerce, who, while he has the merit of being straightforward, has still along with the simplicity of the dove, just a little of the guile of the serpent, undertook to persuade this House from the consideration of the Trade Returns, that under the National Policy our dealings with the United States were falling off, while our dealings with England were increasing. Now, hon. gentlemen, I look at the Trade Returns and I find that in 1873 our aggregate trade, both imports and exports, with England was $107,266,000.

Hon. Mr. BOWELL—Next year you will see it was larger.

Hon. Mr. POWER—Yes, next year, 1874, it was larger. I will read the whole list down. I am not wishing to beguile the House, like the hon. gentleman. In 1873 our dealings with the United States were $89,808,000. For the succeeding years the figures are as follows:—

Fiscal Year ended 30th June.	Great Britain.	United States.
	$	$
1874	108,083,642	90,524,060
1875	100,379,969	80,717,803
1876	81,457,737	78,003,492
1877	81,139,708	77,087,914
1878	83,372,719	73,876,437
1879	67,288,848	70,904,720
1880	80,307,286	62,696,857
1881	97,335,378	73,570,337
1882	95,871,802	96,229,763
1883	99,197,682	97,701,056
1884	87,154,242	89,333,366
1885	83,284,482	86,903,935
1886	82,143,828	81,436,808
1887	89,534,079	82,767,265
1888	79,383,705	91,053,913
1889	80,422,515	94,059,844
1890	91,743,935	92,814,783
1891	91,328,384	94,824,352

Hon. Mr. BOWELL—Go on; do not stop.

Hon. Mr. POWER—No, I shall not stop. I know it is not pleasant to have the hon. gentleman's attention called to the serious mistakes he laboured under. Then the McKinley tariff came in in 1892, and our dealings with England were $106,000,000, including those eggs, and the dealings with the States $92,000,000. I do not think that the Trade Returns quite bear out the view of the hon. Minister of Trade and Commerce.

Hon. Mr. MACDONALD—(B.C.) If we have the trade it does not make much difference where it is.

Hon. Mr. POWER—My hon. friend from Victoria points out that if we have the trade it makes no difference where it comes from; but if the hon. gentlemen opposite make a point of it, why should not we? The hon. Minister of Agriculture made some reference to the discounts in chartered banks being largely increased. I am not going to argue much about that point, but I just wish to call attention to one fact; I find that the county of Antigonish, the county represented in the House of Commons by the hon. leader of the Government, had a loss of population in the decade ending 1891 of nearly 2,000; that is 10 per cent. The population in 1881 was 18,000 and in 1891 it was only a fraction over 16,000. Now, I should be disposed to wager that the discounts in that county are larger now than they were in 1881, and I think there is one bank agency more there now than there was at that time; I am not quite sure, but I think there is; and I am satisfied that the county at the present time is decorated with a great many more mortgages and things of that sort than it was 20 years ago.

The hon. Minister of Agriculture made a reference to the shipping. I believe the hon. gentleman spoke of the total tonnage inwards and outwards for 1878 and 1892, and certainly the tonnage shows a very considerable increase; but, hon. gentlemen, it must be borne in mind that in the interval between 1878 and 1892 sailing vessels had largely given way to steam. The steamers which come to our country as a rule are steamers of very considerable tonnage. Take the port of Halifax; a steamer of 4,000 tons calls in the port of Halifax and remains for an hour and lands a few passengers and the mails and goes on to land her freight at Portland, or Baltimore, or some other point; and she is rated as 4,000 tons entered and 4,000 tons cleared at Halifax. That is one of the ways in which this enormous tonnage is made up. That has to be borne in mind; and this also has to be borne in mind that, if the hon. gentleman will look at the Trade Returns, he will find that the amount of tonnage carried in Canadian bottoms is now less than it was in 1878; and if he turns to the report of the Minister of Marine and Fisheries, he will find that, on the 31st December in 1873, on the register books in the Dominion of Canada, the number of vessels was 6,783, and the tonnage was 1,073,718; and he can follow that up year after year until he comes to 1878, and he will find that in 1878 there were 7,469 vessels with a tonnage of 1,333,015; and the next year, 1879, which is credited by the hon. gentleman to the Liberal Administration also, there were 7,471 vessels, of a tonnage of 1,332,094; and if the hon. gentleman will look carefully at this return he will find that, year after year from 1879, when the National Policy began to get in its deadly work down to the present day, the registered tonnage of Canada has fallen off, and that in the year 1890 the number of vessels had dropped to 6,991, and the tonnage had fallen off something over 300,000; the tonnage had come down from 1,333,000 to 1,024,000.

Hon. Mr. KAULBACH—Will my hon. friend find from that book the tonnage built in Canada from 1874 to 1878?

Hon. Mr. POWER—I did not go into that particularly.

Hon. Mr. KAULBACH—It is diminished by one-half.

Hon. Mr. POWER—I take the tonnage registered in Canada year after year, and I find it increased year after year to 1879; that covers the tonnage built in the country, does it not?

Hon. Mr. KAULBACH—No. The tonnage built in Canada from 1874 to 1878 fell off very nearly one-half—vessels built in Canada.

Hon. Mr. POWER—The hon. member can perhaps explain how it is that if the tonnage built fell off, the registered shipping continued to increase.

Hon. Mr. KAULBACH—Does my hon. friend want me to tell him now?

Hon. Mr. POWER—Yes, I shall be very glad to hear it.

Hon. Mr. KAULBACH—No, I shall reserve it.

Hon. Mr. POWER—I do not care to go into all those criteria of prosperity brought to the notice of the House by the Minister of Agriculture; he talked about the fact that there had been more failures in 1878 than last year. If the hon. gentleman had been perfectly candid he would have said there had been more failures in 1879 than any previous year. The fact is that now we have no Insolvent Act, and people do not fail; it does not pay as well.

Hon. Mr. KAULBACH—It was the fault of the Administration just previous to it—the poverty and depression caused by it.

Hon. Mr. ANGERS—The overdue notes.

Hon. Mr. POWER—Those are criteria that I, for one, do not care to go into.

Hon. Mr. BOWELL—The overdue notes particularly.

Hon. Mr. POWER—I try to have as few of my own overdue as possible. One statement made by the hon. Minister of Agriculture struck me as illustrating one practice of the hon. gentlemen opposite; he said that one of the objects of the National Policy was to diminish imports; there was one year when the imports fell below the exports, and immediately all the Conservative papers, and numerous Conservative statesmen like our friends opposite, began to boast that now the National Policy was getting in its work, and that the imports had fallen below the exports, and the next year the exports went up, and the same gentlemen triumphantly told us the country was prosperous. It does not matter which way the thing works, you see it always suits them. The hon. gentleman did use some arguments which struck me as being rather peculiar. One was that the policy of the present Administration was to make raw materials free, and he pointed out what a vast quantity of goods came into this country free because they were raw materials of manufactures; but just a little while afterwards the hon. gentleman gave us to understand that the necessaries of life were not taxed very much, but the duties were got off raw materials. Well, if the raw materials were free there could not be any duties off them, and if there were duties off them they were not free.

Then the hon. gentleman pointed out as an indication of prosperity that the wages of the toilers in Canada increased, and that as a rule the wages were higher now than they had been in former times. Inasmuch as such a very large proportion of toilers left the country, I suppose those who remained behind would naturally expect to get a little higher wages. Then the hon. gentleman began—and I regret that upon his first coming into the Senate, the hon. gentleman should have thought it proper to get down from the elevation upon which I think a minister, particularly a minister in the Senate, should stand—he began to talk about commercial union and a combine with the United States. The policy of a party, I take it—that is the way we deal with the Liberal-Conservative party—the policy of a party is to be gathered from the statements of its leaders made in Parliament or made through the press by the authority of the leaders, and avowedly with their authority. It will not be found on inquiry that the Liberal party ever committed itself to commercial union. That never was the policy of the party. I venture to say that I have some idea of what the policy was; and I say that that never was the policy. There were some members of the party who thought that commercial union was a desirable policy; but the majority of the party never thought so, and the hon. gentleman will find that in the policy of the Liberal party as laid down in Parliament, there was no mention of commercial union. The reason why the Liberal party did not adopt commercial union was that it would have deprived Canada of the control of her own tariff. The only essential difference between unrestricted reciprocity and commercial union was just this—that under unrestricted reciprocity Canada would have had control of her own tariff, and under commercial union she would not. The hon. gentleman closed his speech, which was an able one, by a sort of declaration that the policy of the Liberal party was annexation. I do not think that a statement of that sort is creditable to a gentleman holding such a position as that of the Minister of Agriculture. That there are a few annexationists in the Liberal party is true, as it is also true that there are some in the Conservative party ; but we would not hold the minister responsible for the proceedings of Solomon White and a few other hare-brained people in western Ontario, who happen to belong to the Conservative flock; and the hon. gentleman will find it just as hard to discover any considerable number of Liberals who are annexationists as he will to discover any considerable number of Conservatives who profess those views.

Hon. Mr. ANGERS—I made an exception when I spoke. I said I referred to Liberals outside of this House.

Hon. Mr. POWER—The hon. gentleman had no right to make such a statement. There was no shadow of foundation for it—he had no right to say that the Liberals are in any sense annexationists. There was a good deal said about Farrer, Wiman and Goldwin Smith. Who is Mr. Farrer? He is a man who edited the *Mail* newspaper when it was the Conservative organ. He is a free lance. He afterwards went to the *Globe*, because the *Globe* offered him a larger salary than the *Mail* paid him. He has since left the *Globe* and is now I believe in the United States. He had no stake in Canada and was responsible for no one but himself. Mr. Wiman is a man of considerable ability. I am not aware that he has advocated the annexation of Canada to the United States—I think he has taken another line. I never saw Mr. Wiman but once and then only for a very short time, and he did not then say anything about annexation, and as far as I know, he is not in favour of annexation.

Hon. Mr. KAULBACH—I think my hon. friend recognizes Count Mercier as one of his friends in politics.

Hon. Mr. POWER—No.

Hon. Mr. KAULBACH—He is recognized as a leading Liberal and he says that two-thirds of the people of the province of Quebec are in favour of annexation.

Hon. Mr. POWER—The hon. gentleman makes a statement that is not correct at all.

Hon. Mr. BOWELL—If the hon. gentleman will refer to the speech made by Mr. Wiman in Minnesota, and also his evidence before the Committee on Trade Relations between this country and the United States, he will find that Mr. Wiman has stated clearly that the adoption of commercial union must of necessity lead to annexation, and that the Americans who were opposing it were opposing annexation and that they had better adopt the principle which he laid down to bring about that result. I have half a dozen other extracts from his speeches in different parts of the country, not only in Canada but in the United States, which prove beyond a doubt that his object was annexation, although he denies it I admit.

Hon. Mr. POWER—All I can say is that Mr. Wiman appears to be a gentleman whose versatility would qualify him for a high position in the Conservative party. He can apparently be whatever suits him at the time. He was not an avowed annexationist when he was in Nova Scotia, and I do not know that he ever posed as an annexationist. My own opinion about Mr. Wiman is that he is a gentleman who has made a good deal of money and is anxious to make himself known. I do not mean to make himself notorious, but to make himself a reputation as a public man; and that he thinks he sees a chance to do so by discussing the relations between the land of his birth and the land of his adoption. Mr. Goldwin Smith is another gentleman spoken of as a person for whom the Liberal party are responsible. I think that is exceedingly unfair. Goldwin Smith came to this country some years ago. He is a man who has a faculty for becoming dissatisfied with his surroundings wherever he is. He became discontented with his position in England, and went to the United States, where he remained for a short time. He then came to Canada and was for several years an intimate friend of Sir John A. Macdonald and a supporter of the Liberal-Conservative party. I presume he became dissatisfied with them as he became dissatisfied with everything else. He is not now in harmony with the Liberal party, but appears to be attempting, with no mandate except from himself, to bring about the annexation of this country to the United States. I presume his efforts in that direction will be about as successful as in other directions. I do not think there is any danger of his bringing it about; but I tell hon. gentlemen what danger there is. The real danger in our relations with the United States, as I think the most serious danger, arises from the fact that gentlemen occupying positions like that of the hon. Minister of Agriculture can rise in their places and talk of a large proportion of the people of Canada as being annexationists. That is what is going to make our relations with the United States difficult in the future. We find now that it is claimed in the United States that there is a large proportion of our population in favour of annexation, and that the right thing for the United States is to hold on and refuse to give the Dominion favourable commercial relations, and thus force Canada into the union. The hon. gentleman, and the men who talk with him in that way, are doing the country more harm than all the *Globes* and other Liberal papers in the Dominion.

Hon. Mr. HOWLAN—Before I proceed to answer the hon. gentleman from Halifax, let me congratulate him upon the temperate and moderate style in which he has addressed the House. Whether it was the convincing proofs placed before him by the hon. gentlemen who occupy the Treasury benches or not, I cannot state, but I must do him the justice to say that he has considerably modified his views, and I think for the better. I congratulate him that he is coming to see Canada with perhaps more patriotic eyes than before. The most extraordinary fact to me is this, whilst the reasoning of the Opposition seems to be that the population has grown no larger, no one denies that the volume of trade into and out of the country has increased. It takes more money in the banks and a larger number of hands to do the business; larger sums of money are deposited in the savings banks, and I cannot understand, if the contentions of the Opposition are correct, how that happens. It seems strange that while population has grown no larger, the trade of the country has increased by some $100,000,000. If we are doing that much more business it is evident that we must be earning more. If you discuss the matter with bankers they will tell you that more money is required to do the business of the country. If you make inquiries at the customs office you will find that the imports and exports are larger. If you investigate the character of the articles which make up the imports of the country and are consumed in the Dominion, you will find that they are of greater value: yet we are told that the country is not progressing. As my hon. friend from Marquette remarked, it is very hard to understand these figures. I desire to congratulate the Government on having given this branch of Parliament two of the most important portfolios in the Government; and I think the supporters of the Administration in this House must agree that the Senate of Canada has in the person of the Minister of Trade and Commerce, a man who has proved himself in the different public positions he has occupied, worthy the confidence of the country and of the Senate. The Minister of Agriculture cannot come to us as a Minister of green things, for we are not very green here. He occupies a most important position. Agriculture forms one of the largest items of export in Canada. Whatever ground for grumbling there may have been in the past with regard to the representation of the Government in this House that is done away with, and I think the Government have more than made up for any remissness in the past, by sending us two such able and distinguished gentlemen as the Ministers of Trade and Commerce and Agriculture. I wish to say one word with regard to my old leader, whose health, I hope, is recovering. I wish to thank him for his universal courtesy, his great ability and his extreme modesty on all occasions while he was leader of this House, and I can tell the hon. gentleman who follows him that he will find it difficult to make such a record as Mr. Abbott did and merit such popularity. Our late leader left this House followed by the good wishes and the good opinions of those who remain behind him. The gravamen of the charge against the Government may be placed under three heads—first, that it is misgoverning the country. That charge was made from every platform and through the Opposition press by able men throughout the country, and the question was discussed by both sides before the public. What was the reply? It is true we were told at the close of the general election that the verdict of the people was only given by what one leading member of the Opposition was pleased to describe as the "runts and patches of the Dominion."

Hon. Mr. POWER—If the hon. gentleman wishes to quote the member for Oxford he should do so correctly; the expression used was "shreds and patches."

Hon. Mr. HOWLAN—Well, I can say for the "shreds and patches" of the Dominion that we helped to preserve the constitution of the country. We are on the frontier, and we discharged our duties and held the fort, whilst the remaining portion of the Dominion proved conclusively that the heart of Canada beat in unison with the shreds and patches. Now, what do the Opposition propose? Do they suggest an alteration of the platform by which this country was carried in the last election? What do their leaders say? Protection was the one great issue in the appeal to the people; our opponents said it would be impossible to carry on the business of the country if any important change was made in the policy under which we live to-day—that it would interfere with the monetary and banking institutions and land the Dominion in ruin within six months after its adoption. They say: "We do not propose to do that; we propose to let down the bars quietly one by one." It puts me in mind of an old story about a gentleman who lived in the Southern States and owned a dog with a long tail. He said to one of his servants "I want you to take out that dog and cut off part of his tail." Next morning he heard cries of distress from the dog and supposed the operation was performed, but the next morning there was a repetition of the noise, and again the following morning. He asked the servant what was the matter, and the reply was, "Massa, I was afraid to cut off too much, so I cut it off piece by piece." The policy of the Opposition is to cut off the tariff piece by piece. Have they made any proposition beyond that? Some of them talk about free trade—how could we have free trade in this country? How can any Government hope to remain in power that proposes to adopt free trade where we have $12,000,000 or $13,000,000 interest to pay on our debt? It is impossible to discuss the question from that stand-point. We have heard it stated here that the Conservative party is learning—learning from whom? From the Liberal party the hon. gentlemen say. The Liberal-Conservative party have been carrying on the business of the country and as its revenues increased and were found more than sufficient to meet the expenditure, taxation has been reduced. As has been stated here to-day the Government took the duty off tea, coffee and sugar, and repealed the stamp duties; and I suppose from time to time, as the exigencies of the country require it, they will continue in the same course. To do more than that would be to ruin our credit. No one has attempted to gainsay that the credit of Canada stands higher than that of any other colony of the Empire. Nay more, she is taxed less. The Conservative party of Canada has accomplished what no other portion of Her Majesty's Empire has ever undertaken—what not even the Empire itself has attempted. Five millions of people grappled successfully with the problem of building 6,000 miles of railway across the continent, through a country the greater part of which was without a settlement and much of which was an unexplored wilderness, and at the same time retained their credit unimpaired. How often have the older members of this House heard the project of the Canadian Pacific Railway condemned. We were told that to undertake to build such a railway was "midsummer madness"—that the older provinces would be taxed beyond endurance and that the end would be the destruction of the Confederation; but when that policy proved to be a successful one—when it was established beyond a doubt that the prosperity of the Dominion was increased and that the railroad was a success from the beginning—that the exports and imports continued to mount up, what did we see? With a country prosperous, with a treasury overflowing and everything going on quietly but surely, as is proved by the increasing exports and imports, the Opposition, finding that they could not destroy the Dominion in any other way, abused the land which gave them a living, ran it down and belittled it in the eyes of the world as far as they could; yet they ask the people of the Dominion to believe that they are Canada's friends. We had from the hon. member from Marquette a parody on Tom Hood's "Song of a shirt," the refrain of which was twenty-five per cent. You would have thought from the manner in which he read that song that outside of Canada there was no twenty-five per cent, that all was free trade. He forgot to tell the people of Canada and this House, and he forgot to inform himself of the fact, that there was no twenty-five per cent refrain across the border. He would find, if he lived in that Eldorado, that the refrain would be something different, that it would be something like sixty-five per cent. We have on the authority of Congressman J. D. Warner, of New York City, a published list of one hundred huge trusts now in operation in the United States of which the following are a few specimens:

Name.	Duty.
Axe Trust	45 per cent
Borax Trust	3c. per lb
Broom Trust	40 per cent
Button Trust	25 to 400 per cent
Cartridge Trust	45 per cent
Casket Trust	45 per cent
Castor Oil Trust	80c. per gal
Cordage Trust	$\frac{7}{10}$ to 2½c. per lb
Cottonseed Oil Trust	10c. per gal
Envelope Trust	30 per cent
Glove Trust	70 per cent
Harvester Trust	45 per cent
White Lead Trust	3c. per lb
Linseed Oil Trust	32c per gall
Oatmeal Trust	1c. per lb
Paper-bag Trust	25 per cent
Plate Glass Trust	Av. 100 per cent
Pocket Cutlery Trust	74 to 116 per cent
Rice Trust	2c. per lb
Sanitary Ware Trust	55 per cent
Saw Trust	30 to 40 per cent
Soap Trust	20 to 40 per cent
Steel Rail Trust	$13.44 per ton
Sugar Trust	1 3c. per lb
Teazel Trust	30 per cent
Wall Paper Trust	25 per cent
Window Glass Trust	68 to 132 per cent
Wire Trust	45 to 60 per cent
Wool Hat Trust	66 to 112 per cent
Wrapping Paper Trust	25 per cent

I am sorry that my hon. friend is not here to-night with his twenty-five per cent. He says that the National Policy has not increased the business of the country. No better evidence to the contrary can be found than the following statement from the official reports of the aggregate trade of Canada from year to year:—

	Millions.
1868	131
1869	131
1870	148
1871	170
1872	194
1873	218
1874	218
1875	201
1876	174
1877	175
1878	172
1879	153
1880	174
1881	204
1882	222
1883	230
1884	208
1885	198
1886	190
1887	202
1888	201
1889	204
1890	219
1891	218
1892	241

A man who travelled through Canada twenty years ago, in travelling through it now must be very dull indeed if he cannot see evidences of prosperity everywhere. Every one of us must have observed in this very city of Ottawa the steady growth of the prosperity of the people. I was surprised to hear my hon. friend from Halifax say that the Maritime Provinces had not increased in twenty years.

Hon. Mr. POWER—I did not say they had not increased in twenty years, I said in ten years.

Hon. Mr. HOWLAN—Well, let us see how much truth there is in that statement. Take New Brunswick and Nova Scotia and let us see what the figures show, arranged upon a per head basis, as to the amount of money invested in manufacturing:—

	N.B.	N.S.
Invested in land	$ 3.00	$3.70
Invested in buildings	12.80	8.60
Invested in machinery	17.00	10.40
Working capital	19.00	19.50
Output 1891	73.70	67.10
Output 1881	57.40	42.10
Capital 1891 invested	51.70	42.20
Capital 1881 invested	26.10	23.10
Increase capital invested,	98 per cent	82.6 per cent.
Increase output over 1891	28.2	59.3

Yet my hon. friend says there is no change—no improvement. It is a fact beyond any question that with regard to the Maritime Provinces trade has changed and gone into different channels, but there is another branch of trade which is never found in these books, though it is very large, and that is the inter-provincial trade. This is the solution of the apparent falling off in the shipping. My hon. friend talks about the ships of twenty years ago and compares them with the ships now. Twenty-five years ago we were building ships in the Maritime Provinces to send abroad for sale. Now we are building them to own and run them, and we have one of the finest fleets of fishing vessels in the world. Even the United States has nothing to equal our fishing vessels.

Hon. Mr. POWER—Why do they not register them?

Hon. Mr. HOWLAN—They do register them.

Hon. Mr. POWER—Not according to the Trade Returns.

Hon. Mr. HOWLAN—My hon. friend must know about these vessels when he sees them at home. A large amount of the business is done in the city of Halifax. The vessels have grown double in size during the 20 years. The bank fishing was done 20 years ago in vessels of 70 tons; it is now done in ships of 140 tons, and there are no finer vessels afloat. My hon. friend spoke about vessels entering at night and going out in the morning—vessels of 4,000 tons. One would think that that was a new departure. That has been the custom and manner in which all these records are kept. It is the same way wherever records are kept, and here at a meeting of the Toronto Board of Trade less than 20 years ago we were reminded—in speaking of shipping owned in the Maritime Provinces and claiming that we owned 44 tons or 45 tons for every man, woman and child in the Maritime Provinces—that there was more shipping entered and cleared from Toronto Harbour than all the ports of the Maritime Provinces. I was puzzled to account for it at the time, but it was explained that even the colliers running between Rochester and Toronto were put down every trip. Is any one who knows anything about the lake business of the upper lakes prepared to state that there are not more vessels on the lakes now than there were 20 years ago? Is he prepared to state that there are not more tons of shipping on the upper lakes, that there is not more freight carried? I think not, because if he does, the records here would show that he is mistaken. The lake trade shows that the tons of freight carried in and out by vessels in 1878 amounted to 2,178,646, while 14 years afterwards, in 1892, it amounted to 2,791,552 tons, or an increase of 612,906.

Hon. Mr. McINNES (B.C.)—What is the hon. gentleman quoting from?

Hon. Mr. HOWLAN—From a memorandum taken from the blue books.

Hon. Mr. McINNES (B.C.)—What blue books—Trade and Navigation Returns?

Hon. Mr. HOWLAN—Yes. It must be borne in mind, in connection with this statement, that we have increased our railway accommodation very much in that period. In addition to the Canadian Pacific Railway, there are several other new roads in existence now, aiding and assisting in doing the business of the country, and the Grand Trunk Railway has doubled its track. With regard to the ocean tonnage, take the tons of shipping, seagoing, with cargoes. In 1884 there came in and went out of Canada 4,912,455 tons, while in 1892 the amount was 7,942,718. Taking the tons of merchandise brought in and taken out, in 1878 there were 6,666,538 tons, while in 1892 there were 8,585,944 tons, or nearly two millions of tons more. Here are facts which cannot be gainsaid. With regard to the next point, we are told that Canada is a dear country to live in, that the taxes are driving the people away to the United States, and that strangers are coming in to take their place. That is a statement which has been made in this House within the last two or three days. Is it true that Canada is taxed more *per capita* than other countries? Let us look at the facts. The following is a statement of the equivalents of taxation per head last year in the chief English-speaking countries:—

United Kingdom	$ 9.47
Western Australia	20.68
Queensland	20.33
New Zealand	16.32
Victoria	14.05
Tasmania	13.68
New South Wales	12.26
Newfoundland	6.40
United States	6.21
Canada	6.03
Jamaica	4.03
Cape of Good Hope	3.73

Now in the face of these facts it is extraordinary to hear hon. gentlemen decrying their own country and representing that it is going to ruin. Now, let us take the taxation per head last year in European countries, and compare it with the taxation in Canada:—

France	$13.11
Netherlands	9.04
Italy	8.22
Spain	8.05
Portugal	7.35
Austria-Hungary	6.24

The taxation of Canada was less than in any of these countries. I was surprised to hear the remarks of the hon. gentleman from

Marquette about the lower provinces and especially New Brunswick. With a grand flourish he told us that the saw-mills and tanneries in New Brunswick had diminished in number during the last twenty-five years. The explanation of the apparent decrease is easy. Twenty-five years ago there were a great many small saw-mills in New Brunswick along the rivers and creeks where timber could be had, but now the lumber business is done in very much larger saw-mills, run by steam, and I have no doubt that if we had the statement of the number of hands and the capital employed in New Brunswick in the lumbering industry, it would be found that there was an increase instead of a decrease.

Hon. Mr. DEVER—I do not believe there is one-third as much. Take, for instance St. John, how many are there in St. John now?

Hon. Mr. HOWLAN—Well, Mr. Gibson has a pretty good one. Then about the tanneries, we know that there are some tanneries that were not in existence in New Brunswick twenty-five years ago, and in that instance also it would be found on examination that while there may be fewer tanneries there are more hands employed, and a larger amount of capital is embarked in the industry. It is absurd to say that there is less money invested in manufacturing in this country to-day than there was twenty-five years ago, or at any time in the past. Every one who hears me must know that such a statement is not capable of proof. I believe that there is more manufacturing in the city of Montreal alone to-day than there was in all Canada twenty years ago. We have heard a great deal of talk with regard to the position in which Canada stands, and of renouncing the ideas and opinions put forth with regard to annexation. Any one who took an active part in the last general election knows that everywhere throughout the Dominion, on the platform, through the press, by circulars, and in every way the idea of annexation was promulgated. We know that men in Boston met representatives from Canada and discussed the question openly. More than that, we know that one or two gentlemen were taken in a pullman car from Boston to New York, Baltimore, Philadelphia, Washington and Richmond, to further the movement, and the press rang with the subject. No one could help hearing it. In the hotels, everywhere, one could hear the statement made that if the people of Canada had an opportunity to vote, and were not kept down by Government bayonets, they would register their votes in favour of annexation. It will never be known, until the present generation passes away, and the correspondence is made public, how far the movement was carried. It will then be known what the men who compose the Government of Canada to-day had to endure to save the country. We hear the Opposition to-day repudiating Farrer, but the repudiation comes late; Mr. Farrer has gone across the border. How is it that throughout the length and breadth of the United States, go where you will, if you have a confidential friend, he will write you to know if there is any alteration with regard to those ideas and opinions which prevailed in his early manhood—that he has been told that we are all ready for annexation. Who told him the story? Was it the Liberal-Conservative party of Canada? Not a man of them would do it. Let me give you a sample of something only a few days old. It is as follows:—

> CONTINENTAL UNION.
>
> It is now apparent that the movement in the Dominion of Canada toward casting its lot with the continent to which it belongs, has begun in earnest. It is spreading alike to the country districts, and to the towns and cities throughout Manitoba, Ontario and Quebec, and also in the Maritime Provinces and adjacent islands. It is supported by statesmen and political leaders of all grades and parties, and finds its adherents in all occupations and callings without reference to orgin or race. Similar movements have been begun before, and more than once they promised to result in the independence of Canada and its amalgamation with the United States; but none of them ever became so general as the one now claiming our attention, or reached such magnitude in so short a time of renewed agitation.

We are here in a representative capacity in this House. Can any man enunciate such sentiments publicly in Canada and be elected? Still, it is being spread abroad as the views of our people. I honour the man who is honest enough to openly advocate annexation if he believes in it, but he has no right to belie me and my family and my reputation for loyalty.

Hon. Mr. McINNES (B.C.)—Who is the authority?

Hon. Mr. HOWLAN—It is the New York *Sun*.

Hon. Mr. McINNES (B.C.)—By whom was the article written?

Hon. Mr. HOWLAN—It is an editorial in the New York *Sun*. I have here a letter from Toronto, written by Mr. Farrer to Mr. Wiman. It is as follows:—

TORONTO, 22nd April, 1889.

MY DEAR MR. WIMAN,—Our Ottawa man will send a good summary of your speech, so that on our account you need not go to the trouble of preparation. At present the commercial union movement is at a standstill. First of all, the Jesuit agitation, which is here to stay, has to some extent supplanted it. Secondly, the general belief is that the Republicans would not listen to any such scheme. Thirdly, a very large number of people are inclined to think that we had better make for annexation at once, instead of wasting two bites on the cherry. Lastly, the old parties here are rapidly breaking up, and when Sir John goes we shall be adrift without a port in sight, save annexation. Moreover, although the Liberals have taken up commercial union, they are not pushing it with any vigour. For these reasons the *Mail* has, in the slang of the day, given the subject a rest. There is really no use talking it up to a people whose politics are in a state of flux, and whose future is wrapped in doubt. I saw Mr. Hoar, while at Washington, and told him just what he says I did, namely, that the smaller forces favour annexation and will favour it all the more if commercial union be withheld. It seems to me, and I have talked the thing over lately with maritime members as well as with Manitobans, that commercial union would only delay the coming of the event those people most desire. Hence, in the provinces referred to, commercial union does not take hold, whereas annexation will always demand a hearing. In Ontario the Jesuit campaign has brought that aspect of things home to thousands who would not look at commercial union. The littleness and half heartedness of the Liberals is also very disheartening. Then, again, the truth is that every man who preaches commercial union would prefer annexation, so that the party is virtually wearing a mask. Can't you come round this way and have a talk?

Yours very truly,
(Signed.) E. FARRER.

Here is the answer:—

HOUSE OF REPRESENTATIVES,
WASHINGTON, D. C., April 25th, 1889.

ERASTUS WIMAN, ESQ.,
314 Broadway, N. Y.

DEAR SIR,—I am greatly obliged to you for sending to me the proof-slips of the "North American" article, and have been much interested also in Mr. Farrer's letters which surprised me somewhat as I did not think from his conversation, which gave me a very favourable impression, that he would be so easily discouraged. The reasons he gives existed before the commercial union began with greater force than to-day. The Republicans as protectionists it was apprehended would be against it. They are not. Their representatives vote for it, their newspapers have received it kindly, and often with warm approval, the Jesuit agitation, which has taken the place of commercial union in his mind, is largely sentimental and will probably not last long. The other, commercial union is a business question that concerns each citizen, and in a way which he does not understand at first, but sees more and more clearly the more he talks intelligently about it. There is some logic in what Farrer says of not making two bites of a cherry, but going for annexation at once, but I think he is misled on that point in a way that often occurs. Where a man is thinking much on a point and discussing it, he is liable to narrow his horizon to those within his reach; and his own mind, and perhaps those he meets having passed on by discussion to distant results, he takes it for granted that the wide world which is so wonderfully slow, has kept up with him and has the same results in sight. We must be very patient with the slow moving popular mind. If the Canadian public of farmers, artisans, lumbermen, miners and fishers can be in three years argued up to the point of voting commercial union and giving sanction to the movement in Parliament, it will be great progress, slow as such movements are, the comforting thing is that they never go backward. To you personally it ought to be in your moments of reflection a consolation that long hereafter, when this ball which you set rolling has gone on and on and finished its work, every one may then look back and see and appreciate the service done to mankind by the hand that set it in motion. I shall look with interest for what you say in Ottawa. "The North American Review" article will have a powerful tendency to keep our public men from scattering away on annexation next winter, and I hope we can get the offer of commercial union formulated into law. I return the proof slips of the article and the letter of Mr. Farrer.

Very truly yours.
(Sgd.) R. R. HITT.

P.S.—Just received yours of yesterday with Goldwin Smith's; it reads admirably.

That shows exactly where the stream of opinion comes from; it shows just how these articles are formulated. You would think from the way our neighbours speak of Canada that they have nothing to do but to come over and buy the whole place. The article in the New York *Sun* from which I have already quoted continues:—

And why should not every American citizen approve, work for, and welcome the accomplishment of such a destiny for the whole of the continent north of the Gulf of Mexico? Considered from a purely selfish point of view, the advantages to be gained by the United States would appear to be enormous. So rapid has been the increase of our population, that nearly all the arable public land within our borders has been taken up and brought under cultivation. There is but little more that can be utilized, except by the aid of irrigation, and the preparation of works for that service is slow and costly. Already our people are pressing against the borders of Manitoba and looking upon the plains that lie beyond.

The area of Canada is fully three and a half million square miles, or almost as much as our own, including Alaska. Of this vast expanse, 1,300,000 square miles have been officially reported to the Dominion Government as suitable for growing wheat and barley, 500,000 suitable for Indian corn, and much of the rest for grasses. It contains 130,000 square miles of coal lands, besides vast areas of forest, and of iron and other mineral deposits. There can be no doubt of the value or productiveness of the Canadian possessions or of the healthfulness of the climate, and yet after more than a hundred and thirty years of colonial life the whole of British America contains a population of less than five million souls.

So it goes on through this able article of three columns. Where does all this information come from? Has it been sent to the New York *Sun* by any member of the Liberal-Conservative party? Not likely. Then how do they get our household secrets? There must be some secret way by which this is going on.

Hon. Mr. POWER—Probably Farrer is a Tory emissary in disguise.

Hon. Mr. HOWLAN—The hon. gentleman knows more about him than I do. In this article the writer speaks in a familiar way of Canada, and points out its vast wealth and importance—you would think he was advertising the country for sale. Let me tell you one thing—in my humble judgment it will be a long time before the flag is lowered in Canada. If England were to lose Canada she would soon lose Australia, and the loss of Australia would be followed by the loss of India, and England would soon be humbled to the position of a fifth-rate power in Europe. That is something which no man who looks forward with hope to the future of the human race would like to see. It would be one of the greatest misfortunes that could occur to mankind. England's policy is to confederate all her possessions and make them one, unite the empire and then we will not have our neighbours talking of coming over here and taking possession of Canada as if they had nothing to do but to buy it. Our duty is to hold this country and develop our North-west with people from the older countries. I was glad to hear my hon. friend from Halifax say that he would be pleased if the people of the Maritime Provinces, who leave their homes, as men of the Anglo-Saxon race are inclined to do, would go to the North-west part of our Territories and settle under their own flag and institutions. I was glad to hear him express those patriotic views. The duty of every patriotic Canadian is to unite on some immigration policy that will people our North-west Territories. There is no such land in the United States as we possess. We have the only lands which can be offered to the people of the world; and, I repeat, our duty is to open up our western country for settlement and fill it with a population that will trample down those ideas of annexation and those unpatriotic sentiments, so that Canada will be respected at home and abroad, and occupy that position which God and nature intended her to fill.

Hon. Mr. KAULBACH—I have been consulting with some of my friends, and looking at the voluminous notes which I have here, and understanding the Government is desirous that this debate should close to-night, I am doubtful whether I should inflict upon the House such a long discussion as my figures and papers would necessitate. They say that at times I am pretty long winded and when I rise to speak I never confine myself to the time allotted to me; therefore, I think I am meeting the wishes of the Senate—which I generally like to conform to—when I state that, instead of going through the arguments of the various gentlemen, I will defer my remarks until the question will come up in a broader way. I believe the hon. gentleman from Marquette has a notice on the paper of a motion to discuss the trade policy of the country; therefore, I shall not trouble the House to-night, except to say that I am quite in accord with all that has been said by my hon. friend who has just taken his seat, and I believe we have got one of the best and noblest countries on the face of God's earth—a noble heritage if we take care of it and are patriotic. This country has great resources, which we can develop, and make Canada as prosperous as any portion of the British Empire; but we are not to be governed by the pessimist doctrines laid down by the Opposition, who desire to belittle the country and belie it; and I think it would be a sad day if they got in power again. They have a record; it is before the people, and the people know to what a slough of despond they brought the country. I hope the day will never come when they will be at the head of affairs. I am reminded, by the record of the Grit party in Parliament and the country, of the lines of Dr. Isaac Watts:

> Each travelling in a different way,
> But all the downward road.

That is the path they are in; I know the people of this country feel it; and they believe that their only safety is to stand by the party that has carried them so far to prosperity, and will carry them still further on the same way in the future.

Hon. Mr. McINNES (B. C.)—I believe every province of the Dominion has been heard from in this discussion but the Pacific province, and I think it is only fit and proper, coming as I do from British Columbia, that her voice should be heard on the floor of this Parliament on this particular occasion. I will not attempt to follow in the footsteps of a great number who have preceded me in talking stale, worn-out political issues of the past—issues that have been dead and buried a quarter of a century ago, but will briefly deal with a few living and practical questions. I am proud to stand here and say that the province from which I hail is increasing and is prosperous. It is prosperous, highly prosperous when compared with the eastern provinces of this great Dominion of ours. It has prospered for the last 15 or 20 years, especially for the last 10 years, at a greater ratio than any other portion of the Dominion; and I verily believe it will continue for years to come to develop much faster than any other portion of Canada. Yet, I am sorry to say that I am forced to state that she is not prospering as she should; she is not making those rapid strides, either in population or in developing the vast and varied resources of the province that she should do. She is prospering, not in consequence of the fiscal policy of the Government but in spite of the many obstacles thrown in her way—the niggardly and unjust treatment of the Government. The leader of the Opposition in this House a few days ago compared several of the provinces with adjoining states of the Union. In making those comparisons he compared the new state of Washington with British Columbia. Now, in the last ten years, although British Columbia possesses probably more natural and undeveloped wealth and greater opportunities for development and attractions to immigrants, yet she has fallen short I believe, by 200,000 in the population she should have had. I regret to say that nearly every time that I wend my way westward over the Canadian Pacific Railway, or over the Northern Pacific Railway, the vast majority of the emigrants who pass over the great province of Manitoba and the North-west Territories through to British Columbia and the coast, immediately step on board of the steamer at Vancouver or take the railway at Mission City and pass down to the Pacific states of the great Union; and it is only a small portion that remain in Manitoba, the Territories or in my province. The question may be asked why is such the case when our natural resources and tempting inducements are held out to intending settlers to settle in our province and develop our vast resources which are equal, if not superior, to those south of us, when our climate is equally good, if not superior,—the question then arises, what is the reason that this vast tide of emigration flows through our own country and passes to the great country to the south of us? The only reason that I can assign for it, hon. gentlemen, is this, the unwise, the oppressive tariff, which bears more largely, more heavily, more severely and more cruelly on the people of our province and the North-west generally than on any portion of the Dominion. In order to prove that I am speaking by the book I will refer hon. gentlemen to the Trade and Navigation Returns. I am assuming—and I think the assumption is correct—that we have 100,000 of a population, although there was a little less than that given in the census. I find that that 100,000 people in British Columbia pay no less than $1,600,000 into the Dominion Treasury. In customs alone this last year we paid $1,412,878, and, including excise, it amounts to nearly $1,600,000. Well on to a million and three-quarters paid by a population of 100,000, which includes a population of from 25,000 to 30,000 Indians, and a very considerable Chinese population; I think I am within the mark when I say that the white population of the province of British Columbia to-day does not exceed 75,000. Even including the Indians and the Chinese, we pay into the Dominion Treasury per capita over $16, and if we exclude the Indians, we pay over $21 per capita. Just imagine hon. gentlemen, what it amounts to; take a family composed of five; they have to pay from $80 to $105. That is one of the reasons why I say that the province is not increasing and prospering as she should. Another reason is this—and I have more than once called the attention of this House and the Government to it—that one of the great industries of our province is mining, and notwithstanding that all the representatives from British Columbia, those in court and those differing with the Government, have urged, year after year, to admit all mining machinery free of duty, it was only about two and a half years ago that we finally succeeded in prevailing upon the Government to admit free such mining machinery as was not manufactured in Canada. Only a very small portion indeed of the machinery that is suitable for developing the mines in that country is manufactured in any portion of the Dominion; and the consequence has been that nearly all the mining machinery that we use there in developing our gold and our silver mines has been brought from the United States and a very heavy duty paid on it. The high duty has been a wet blanket over that industry—an industry which I have no hesitation in saying I believe will within the next five years, in the production of silver alone, astonish the world. There is one district of our province, the district of Kootenay, around Lardeau and Slogan, where there are more rich ledges of silver, some of them carrying a large percentage of gold, sufficiently developed although only discovered a few months ago, than are to be found on this continent. They are away 40 or 50 miles from any navigable waters; and after mining the ore, placing it in bags, taking it on mules' backs or on sleighs 40 or 50 miles, and then by water 40 or 50 miles more in small boats before they find a railway,—yet that ore is shipped in the manner described several hundred miles into Idaho and down to Tacoma, to the smelting works there, yet in many instances notwithstanding the enormous cost of transportation, there is a net return of $500 to $600 per ton. The people of British Columbia complain, and I think very justly, that they have not had that encouragement or at least the fair-play that the Government ought to extend, in a new country such as theirs, to a comparatively new industry, and one that promises to do so much, not only for British Columbia, but for the whole Dominion. There is another matter that occurs to me at the present time, and to which I desire to refer for a moment or two which is this: Last year my hon. friend from Calgary, doubtless at the instigation of a combination of cattlemen of the North-west Territories, and British Columbia, made such representations and brought such influence to bear upon the Government that they applied to have the quarantine regulations that existed in all the rest of the Dominion of Canada to apply to British Columbia, under the pretext that pleuro-pneumonia might be introduced into British Columbia and that it might affect detrimentally our exportation of cattle to the English market. I pointed out at the time, as I point out now, that British Columbia is not a cattle exporting country; it has never been such, it is not likely to be; and that it was merely for the benefit of a few stock raisers in the North-west Territories, and in British Columbia, that that additional hardship was placed upon the consumers in that part of Canada. In the month of November or December last—probably the Minister of Trade and Commerce will correct me if I am wrong—probably he is aware of what I am about to call his attention to—I saw it stated, and I believe truthfully stated, in one of our papers that cattle were brought in from the American side to the mining district I was describing a short time ago; they were brought in without paying the duty, brought in alive, and taken to the place where they were to be slaughtered and consumed during the Christmas holidays by the hard working miners who were, in all probability not too liberally supplied with actual necessaries of life, and the customs officer was cruel enough, when beef was 30 and 40 cents a pound, acting under the instructions of the Government, to cause those animals to be driven back into the United States Territory and slaughtered there, and the carcases brought back, before those poor miners were allowed to get fresh meat. That was a cruelty and hardship and I sincerely trust that, as we have the Minister of Agriculture in this Chamber, he will see that another such outrage will not be repeated.

Hon. Mr. BOWELL—Why was that?

Hon. Mr. McINNES—In order to carry out these quarantine regulations which were in force about a year ago, at the instigation, I believe, of the cattle dealers in the North-west.

Hon. Mr. BOWELL—You are entirely mistaken. The regulations respecting American cattle were put in force to prevent

Canada from being scheduled in England. However absurd the hon. gentleman may think it is, the importation of cattle from Oregon or Washington Territory to British Columbia, would affect that trade, and the Government had to protect that great interest of Canada, the cattle trade with England and therefore had to put the regulations in force in all parts of the Dominion.

Hon. Mr. McINNES—It had been neglected a very long time; either the Government had been doing their duty previous to that or they had not.

Hon. Mr. BOWELL—The hon. gentleman is hard to please. The Government did not desire to interfere with the trade then going on with British Columbia until compelled to do so to protect the trade of this country.

Hon. Mr. McINNES—What compelled, or who compelled the Government to place British Columbia in this particular on the same footing as the eastern provinces when our province was a non-exporter of cattle?

Hon. Mr. BOWELL—Certain regulations prevail in England in reference to the importation of Canadian cattle. The people of England do not stop to ask the question whether the cattle come from British Columbia or the province of Quebec; the fact that they come from Canada is sufficient for them to know, and then they insist upon the regulations being carried out, or having the cattle scheduled, as they are now.

Hon. Mr. McINNES—Were those English regulations new regulations?

Hon. Mr. BOWELL—Certainly not, but the English people found out the cattle were not scheduled, or rather, the quarantine regulations were not enforced, and we have been as liberal as possible with our regulations for the North-west and Manitoba until the present time. If we desire to maintain the advantage Canada has at the present time over the United States, we will have to enforce the regulations in the North-west and Manitoba, however objectionable it may be, and in the interests of emigration into that country we recognize that great fact.

Hon. Mr. McINNES—If such is the case—and I must accept the hon. gentleman's statement—then it must be owing to representations made by those persons interested in stock raising.

Hon. Mr. BOWELL—I do not know.

Hon. Mr. McINNES—It must be through them.

Hon. Mr. BOWELL—Perhaps the hon. gentleman is right in that.

Hon. Mr. McINNES—But the hon. gentleman must bear in mind that, notwithstanding that, our cattle have been scheduled in England, and that they are not to-day, as I understand it, on a different footing from the cattle sent from the United States. I think I am right in that.

Hon. Mr. BOWELL—I do not know that we desire to discuss that question. It was fully discussed half an hour ago, and it was stated that we were trying to get the embargo removed, and the hon. gentleman's argument, if it goes to England, will only induce them to be more rigid than they have been.

Hon. Mr. McINNES—I am merely stating the fact as it was represented and believed in the province from which I hail; and I certainly think that it was a harsh act. Any one possessed of the slightest feeling must see that a great hardship and injustice was done those hardy and enterprising miners that went into that region, who were not too well supplied with the actual necessaries, to say nothing of the luxuries of life. It was especially hard during the Christmas holidays to be deprived of one of the main necessaries of life. Now, hon. gentlemen, whatever benefits, if any, have been derived from the present tariff in the eastern provinces, it has proved to be an unmitigated evil to the province of British Columbia. I will quote a few figures from the Trade and Navigation Returns, and allow hon. gentlemen to draw their own deductions. These reports have been very freely quoted, and I want the hon. gentleman to refer to certain pages to see that I am quoting correctly, as I am sorry to say that certain quotations have been made by more than one hon. gentleman, which I will refer to later on, that were not exactly in accordance with the book that I have before me. In the province of British Columbia, as I have already stated, with a population, according to the last census, of 98,900 souls, we have paid into the Dominion Treasury $1,593,343 in customs and excise duties, which amounts, *per capita*, to $16.25, or four times as much *per capita* as the rest of Canada. The following is a statement showing the population of each province, the amount of customs and excise duties collected in each province and the amount paid into the Dominion Treasury in customs and excise duties *per capita* :—

—	Population.	Customs and Excise duties.	Per Capita.
Ontario..........	2,112,989	$8,346,201	$3.93
Quebec............	1,488,586	7,669,421	5.15
Nova Scotia	405,523	1,328,976	3.25
New Brunswick. .	321,294	1,030,865	3.20
Manitoba........ .	154,442	780,033	5.00
British Columbia. .	98,896	1,593,344	16.28

It will be seen by these figures that British Columbia stands third among the provinces of Canada as a revenue producer. The port of Victoria alone has contributed to the Dominion Treasury $1,033,000. I may also state, without wearying the House by giving figures, that at the port of Victoria the entries and departures of ships are more than 350,000 tons greater than any other port of the Dominion of Canada.

Hon. Mr. HOWLAN—Tons?

Hon. Mr. McINNES—Yes. I will give the hon. gentleman the exact returns for a few of the principal ports. I will speak by the book. I refer you to the Statistical Year Book of 1891, the last published, and I find that at the port of Victoria the tonnage of the vessels entered and cleared was 1,631,225, and the next highest is Montreal, with 1,262,561,—over 368,000 more tons entered and cleared at port of Victoria than even at the great commercial port of Montreal. Next to that is Halifax with 1,234,012; Quebec, 905,858; St. John, 1,146,533. St. John stands fourth on the list, and then they dwindle down to a few hundred tons. I may say here in passing that out of the first seven highest, British Columbia claims three, viz., the ports of Victoria, Vancouver and Nanaimo. Now, in that connection I have another remark to make, which may, perhaps, surprise this House. The tonnage of the British ships that entered and cleared at the port of Victoria was only 54,252, and number 213; the number of foreign vessels was 1,821, with an aggregate tonnage of 1,577,013; whereas at the port of Montreal there were 66 foreign ships, with only a tonnage of 82,845. This brings me to another point, and I am glad that the hon. Minister of Agriculture is in his place, so that I can show him the absolute necessity of immediately going to work and establishing one of the best quarantines that it is possible to establish in this or any other country. I have shown from the Government records that my province is bearing more than four times, *per capita*, the burden of taxation of any other portion of Canada. That as the Government is plundering our pockets, they should at least make an honest effort to protect the precious lives of our citizens by building a proper quarantine station and thereby prevent the introduction of cholera, small-pox and other dreaded diseases; no matter if it cost $100,000 or $200,000 to do so. Expense should be the least consideration. I am sorry to say that the people of my province, and of my city in particular, are so enraged and annoyed that there is a great strain, to use the expression employed by an honoured member of the British Columbia Board of Trade, put upon their loyalty, and a very good Conservative that gentleman is. We are all aware that cholera, that fearful scourge, worked its way from Asia to the western portion of Europe last year, and was only checked by the winter cold. We are all aware that there are lingering cases of it in portions of Germany and France and that according to a report I saw a few days ago made by one of the professors there, the water of a certain river which supplies water to an insane asylum was largely impregnated with germs of cholera. Such being the case, I do not think there is a shadow of a doubt that when the warm weather sets in there will be an outbreak of cholera in Western Europe and it is almost certain to find its way to New York and to this country through the ports of Quebec, Halifax, St. John and other sea-ports. While extensive preparations are being made to guard against the possible introduction of cholera by the St. Lawrence and other ports, further down, yet up to the present time there has been absolutely nothing done, so far as I am aware, towards establishing a quarantine for the Pacific province. I understand the selection of a new site has been made, but so far as any actual work is concerned, nothing has been done, although it must take not merely weeks but months to erect new buildings, wharfs and other necessary accommodations. The present one is a disgrace not only to the province but to the Dominion. While there is imminent danger of the cholera being introduced on the eastern side of Canada, I claim there is as great, if not greater, danger of its introduction by the Pacific gateway of this Dominion. Any one who has the least knowledge of the history of cholera must know that Asia is the birthplace and the home of cholera. We have not only one line of steamers plying between British Columbia and Asiatic countries, but we have two. The first is the Canadian Pacific Railway line of steamers, the second is the Northern Pacific Railway line of steamers, and those lines of steamers enter at Victoria on their way up the Straits of Fuca to the head of Puget sound to Seattle and Tacoma and Vancouver, landing passengers and freight on their inward and outward trips. There is also a line of steamers plying between Seattle and Tacoma, Victoria, and the Sandwich Islands. I fear, therefore, that there is as much danger if not greater danger of the introduction of cholera on the Pacific side as there is on the Atlantic side. I sincerely hope and trust that the Minister of Agriculture will use every effort possible to attend to that side of the Dominion immediately.

Hon. Mr. ANGERS—It is being done already.

Hon. Mr. McINNES—Precious time has been lost already. To give some idea of the state of feeling in British Columbia with respect to this subject I will read a few extracts from the Dominion Government organ in Victoria, the *Daily Colonist.*

Hon. Mr. ALLAN—I think the hon. gentleman has a notice of motion for Tuesday relative to this very subject, which I am exceedingly glad to see, but really if we begin a debate on the subject to-night we shall never get through.

Hon. Mr. McINNES—The hon. gentleman from Albert a little while ago said he would not make two bites of a cherry. I propose to deal with that subject in the same spirit, and dispose of it now. It is just as well, and I shall be quite in order, to discuss the whole matter now. It should be a subject of interest to everybody here to preserve the lives of our people. We have none to spare. I find the following report of a recent meeting of the British Columbia Board of Trade in the Victoria *Colonist* of 7th January :—

Mr. H. E. Connon, representing the Northern Pacific Steamship line, drew the attention of the Board to the wretched quarantine facilities afforded in this port. The quarantine station, he said, was altogether inadequate, and in the recent case where some Chinamen were taken from one of the ships of this line, it was found that there was no accommodation whatever for them at the station. In fact, a landing could scarcely be effected, as the wharf was in a wretched condition. When the unfortunate men were put ashore they were without shelter or food, or any means of cooking food. He was obliged to send over lumber to erect a temporary shed, to supply the men with food, and to furnish guards. All this, he contended, should have been provided by the Dominion Government. Such a condition of affairs was calculated to do the port great harm. It was not fair that the Government should levy a rate on all vessels entering and then call upon the owners to bear all the expense of a quarantine which the Government imposed. The cost to his company would be very serious, and if there were to be a repetition of this sort of thing their vessels, as well as others, would be obliged to shun this port.

Mr. Brodrick corroborated the statement of Mr. Connon. When the Chinese cases were landed, there was no provision whatever for them, and eight men were employed as guards to look after them.

Mr. Connon—Even the guards have to put up in a poor shed, more resembling a stable. It is a scandalous state of affairs.

The Chairman—If Mr. Connon's statement be correct—and there is no reason to doubt it—it is a grave injustice to his company. If a ship be ordered into quarantine there certainly should be some provision made, and her owners should not be called upon to pay the expense. I quite agree with Mr. Connon that it is calculated to injure the trade of the port.

Mr. Prior said that he had frequently brought this matter under the notice of the Government, but could get nothing done. With Mr. Earle, he had interviewed Sir John Thompson and other members of the Government on the point, and while they were promised that matters would be improved, nothing had been done. Mr. Gamble had made a report on the matter, and two months afterwards, when another effort was made to press the necessity for the work, a telegram was received from Ottawa, asking: "Why don't you report?" When the lady was taken from one of the Empresses, some time ago, Dr. Jones said that the quarters she had to occupy were not fit for an Indian. The Government would spend any quantity of money on the quarantine station at Grosse Isle, but as soon as anything was asked for British Columbia, they were found to be the most cheeseparing set living. Resolutions had been passed by

> the Board of Trade, the Local Government, and other public bodies calling upon the Dominion Government to do something to improve the quarantine station here—but all to no effect. Something would ultimately be done, but when he had no idea. He thought a strong resolution from the Board might possibly strengthen the hands of himself and Mr. Earle.
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> Mr. Gray said he observed from the newspapers that while Premier Davie was in Ottawa he had been promised that a quarantine station would be at once erected at William Head. The premier had brought the matter to a focus.
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> Mr. Prior—We were promised the same thing over and over again, and yet nothing has been done. It should be done at once, as the cholera may be with us in the spring.
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> The Chairman suggested that Messrs. Earle and Prior telegraph to Ottawa, pointing out the necessity of immediate action.
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> Mr. Todd—It is pretty hard work for one to keep his temper in discussing matters of this sort. We are so constantly snubbed and bluffed by the Dominion Government that it is a tension on our loyalty. We tried them over and over again, but they pay no attention to us.

Then a resolution was passed urging Col. Prior and Mr. Earle to report the case again to the Dominion Government.

Hon. Mr. BOWELL—Perhaps it would be gratifying for the hon. gentleman to know that the people of Quebec have used equally strong language against the Government for not proceeding there.

Hon. Mr. McINNES—Am I to infer from that remark that that is the only means of obtaining justice?

Hon. Mr. BOWELL—They are as much mistaken as the people of British Columbia. The Government are doing all they can in the matter.

Hon. Mr. ANGERS—I hope the hon. gentleman will be perfectly satisfied when he brings up his motion, and I am afforded an opportunity of informing him and the House what is being done at the present moment.

Hon. Mr. McINNES—If the hon. gentleman will permit me to say, I am not pressing for an answer now. I am merely placing these facts before the House; and I will spare the hon. gentleman and the House the trouble of listening to a speech when I move for the papers. I will promise the hon. gentleman that I will merely move for the papers when making my motion.

Hon. Mr. ANGERS—I have no objection at all to hearing the hon. gentleman now.

Hon. Mr. McINNES—Here is an editorial in the same paper—the Government organ:

> The language used by members of the Board of Trade at the meeting of that body on Friday may appear strong, but it was not stronger than the circumstances warranted. It must be remembered that the speakers were men who would not, unless they considered it absolutely necessary, say one word against the Dominion Government. They have been all supporters of the present Administration and they all, as far as we are aware, approve its general policy. Every one knows how faithfully Colonel Prior has supported the Government, yet the bad treatment which this city has received and is receiving from the departments seems to have exhausted his patience, for his protest was perhaps the most emphatic that was made. He informed the meeting that he and his colleague, Mr. Earle, had frequently brought the subject of the disgraceful condition of the quarantine station under the notice of the Government, yet they had never succeeded in getting anything done. Sir John Thompson had been interviewed on the subject, and Mr. Gamble, the resident engineer, had reported on the matter, yet the quarantine was allowed to remain in its shamefully inefficient condition.
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> Mr. Connon's description of the condition of the station at Albert Head is calculated to excite alarm as well as indignation and disgust. The station which is intended to accommodate the crews and passengers of vessels arriving at this port with persons afflicted with dangerous contagious diseases on board cannot give even sufficient shelter to civilized men and women, and it is absolutely destitute of everything necessary to make their stay anything like comfortable. There is no wharf at which they and their luggage can be landed; there is not even a fair supply of good water; there are no arrangements for cooking; the quarters provided for the persons who may be detained are, as the port doctor describes, not fit for an Indian. As for apparatus for disinfecting clothes and baggage, no one in authority seems to have thought that they would ever be required. Such neglect is almost incredible.

Then it goes on to deal with the complaint and endorses it in a very emphatic manner. Further down it says:

> The neglect is the more surprising as quarantine is a matter which affects not this province alone, but the whole Dominion. Victoria is the western gateway of Canada, and as against cholera or small-pox it is absolutely unguarded. The Dominion Government has evinced the most niggardly spirit in taking precautions to prevent diseases entering the country from this side of the continent. The station cannot be said to be equipped at all. It has the name of a quarantine station, but it no more deserves the title than a Siwash shanty deserves to be called a palace.

Now here again is another matter to which I hope the hon. Ministers will direct their attention :

> The marine hospital is almost as defective in all its arrangements as is the quarantine station. It is described as having none of the appliances of a hospital, and it cannot afford sufficient accommodation to make a sick mariner even comfortable. Not only is the accommodation wretched, but its keeper is miserably paid. The superintendent of a hospital of any kind should be a person of high character and superior intelligence, yet the only provision made for the superintendent of the marine hospital of Victoria, is a beggarly five hundred dollars a year and what he can squeeze out of the patients, for whom he provides attendance and food for the magnificent sum of five dollars a week. The custom of farming out patients is even worse than that of farming out lunatics and paupers. It is condemned by all enlightened men, and should be abandoned by all civilized communities. It holds out temptations to the farmer that are seldom resisted. We are surprised beyond measure that so barbarous a custom is countenanced by the Government of this Dominion, and that sick mariners are made its victims. Every humane man and woman in Victoria should vigorously protest against its continuance.
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> The heartlessness, the ignorance and the narrow-mindedness exhibited by Deputy-Minister Smith when Mr. Earle represented to him the inadequacy of the keeper's pay and the necessity of providing the hospital with water, must make intelligent people wonder how a man of such a nature and with such ideas, should ever have been placed in a position of authority.
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> What makes the neglect in this case worse than ordinary instances of departmental negligence and carelessness, is that the Government is bound in common honesty to keep the marine hospital in an efficient condition. It is paid in hard cash for this specific service, and it is paid beforehand. Vessels that enter this harbour are obliged to pay towards the Sick Mariners' Fund, and no doubt the authorities do not neglect to collect the tax. The money is collected, but the sick sailors are not attended to. Even the "cup of cold water" is not provided for the sick and suffering mariners. It is to be hoped that the Minister of Marine, himself, will give this matter his attention and not allow a state of things that is a positive disgrace to Canada to continue.

Now, hon. gentlemen, I think that that is a vigorous protest coming from not merely one, but two members representing that province, and unswerving supporters of the Government, and also the leading organ of the Government, the Victoria *Colonist*, a newspaper which occupies a position, with regard to the Dominion Government in British Columbia, similar to that which the *Empire* does east of the Rockies. I say, such a strong protestation coming from such a source ought to be enough to convince the Minister of Agriculture and the Dominion Government that they should do something like justice to Victoria and the other ports of British Columbia in the direction I have indicated. Before I resume my seat I may say this—I do not wish to make any charge at present, but last year I verily believe that the introduction of small-pox is attributable to one or more causes that I will not mention at the present time. It entered Victoria, and Vancouver, and New Westminster. Victoria for three months was in a state of siege. Business was nil. A great number of moderately prosperous traders were forced into bankruptcy in consequence of being excluded from the trade of the outside world. The city of Victoria alone had to pay out its hard cash, and the mildest expression I can use is that through the neglect, or ignorance, or both, of some person or persons, the city of Victoria had to pay out $60,000 in hard cash to provide accommodation for the small-pox patients and those who were placed in the suspect house and other expenses. Not only that, but between thirty and forty deaths, I am sorry to say, are attributable to the negligence of some one. I am informed that the steamer which brought small-pox into British Columbia, came in flying the yellow flag, and in the course of six hours after landing a large portion of her passengers that vessel was allowed to proceed to Vancouver to spread disease and death throughout the country.

Hon. Mr. MACDONALD (B.C.)—That was the health officer.

Hon. Mr. BOWELL—Allowed to proceed where—out of port ?

Hon. Mr. McINNES—From the port of Victoria to the port of Vancouver. I am told she first made her appearance flying the yellow flag.

Hon. Mr. BOWELL—What ship was it ?

Hon. Mr. McINNES—It was one of the Empresses—I forget which. Small-pox was brought in by those steamers twice, in May and again in June. On my return from Parliament last summer it was with the greatest difficulty I could get to my home in Victoria. The vessels plying between Vancouver and Victoria were withdrawn. I had to take the little steamer to the port of Nanaimo and there I had to run the gauntlet, show my arm to prove I had been vaccinated and was unnecessarily delayed for one day.

Hon. Mr. BOWELL—You do not complain of that do you?

Hon. Mr. McINNES—I would as long as I was capable of doing it myself. I would allow no man to vaccinate me unless I knew the lymph is pure bovine.

Hon. Mr. BOWELL—The Ontario Government put doctors on every train coming from Quebec into Ontario at the time of the small-pox epidemic some years ago and compelled everybody to strip his arm and be vaccinated unless he could prove that he had been recently vaccinated. I had to produce my certificate, I know. The hon. gentleman complains of regulations which were necessary for the protection of the country.

Hon. Mr. McINNES (B.C.)—I am not complaining of the Federal Government in that particular—but I am complaining and justly so that they did not take necessary precautions to prevent the introduction and the spread of the disease. I am making the statement that Victoria and Vancouver have recently complained that it was through the negligence of some person or persons that the dreaded and loathsome disease was introduced in those cities twice during the summer of 1892. I have only one other remark to make before I resume my seat and it is this: there is a paragraph which promises that the ballot shall be extended to the North-west Territories. I am very glad of it. I have no doubt the hon. gentleman from Sarnia is also pleased, because he supported me very strongly when the North-west Territories bill was before this House some 5 or 6 years ago. I moved then that the bill be amended so as to extend the ballot to the North-west Territories, the same as to all other portions of the Dominion. He saw the common justice of it, and other hon. gentlemen who were strong followers of the Government also supported my amendment. I congratulate the Government that they have at last seen fit to do justice to the North-west Territories in that regard.

Hon. Mr. MACDONALD (B.C.)—I have no wish to follow the hon. gentleman from Victoria who has spoken this evening; first, because I think the trade question should not be brought up at all, and, second, because he has spoken so favourably and so conclusively of the wealth of our province. I fully concur with him in what he said in that respect. If his intention was to assail the Government, I think his remarks instead of being a curse, have turned to be a blessing. The hon. gentleman has spoken of the enormous natural wealth of the province and has illustrated its wealth by stating what the people have been able to pay per head and yet continue to be in a prosperous condition.

Hon. Mr. McINNES (B.C.)—Perhaps I forgot to mention that the province is progressing in spite of the burden placed upon it by the Government.

Hon. Mr. MACDONALD (B.C.)—The tariff presses more on British Columbia than on any other portion of the Dominion, for this reason—we do not manufacture; whatever we consume we get from the eastern provinces of Canada, from the United States or England, and we have to pay large amounts of freight upon it. Our people, although they have been loyal to the Government and paid their taxes regularly, will be glad at any time to have a little relaxation from the tariff in many respects. With regard to immigration and immigrants passing through our province to go to the state of Washington, I would far rather have a moderate number of people coming into our province, that we can absorb in a comfortable way, than have a large number of idle men on our streets. With the increase we are having now, year by year, I am perfectly satisfied, and I know we will have a considerable number from time to time, as fast as they can be absorbed. Even now, in some of our towns, we have idle men that I would rather not see there unemployed. I would rather have work for all who come and have everybody prosperous. With regard to the marine hospital, I do not rise in its defence, but I do wish to say a word on behalf of that excellent public servant, Mr. William Smith, of the Marine and Fisheries Department. He has been accused of saying that the people should catch the rain to supply themselves with water, and that they could add to their income by catching fish. There is nothing wrong in either of these suggestions.

Hon. Mr. McINNES (B.C.)—I wish to explain that I was not speaking my own sentiments on that subject; I was merely reading an extract from a newspaper, showing the feeling that was produced there by the statement. I have nothing to say against Mr. Smith; he is a friend of mine, and I believe, a good officer.

Hon. Mr. MACDONALD (B.C.)—I do not believe in farming out the patients at the marine hospital. If a man can make money boarding them at $5, the Government could do it as well, and the patients should not be charged for supplies. I hope that is one of the things that will be seen to at once—that and getting a supply of water. There is abundance of water close by the hospital, and it would not cost much to furnish it to the institution. With regard to the quarantine, it has been a burning question for the last year. Until lately we did not want quarantine. In the twenty-two years since we entered the Confederation, we had only one small-pox scare. Quarantine has now become a burning question, and the Government admit that the accommodation is inadequate. I am glad to hear that the Government have taken the necessary steps to furnish the accommodation. They have invited delegates from all the provinces to confer on the question of quarantine, and I hear that there is to be a large expenditure in British Columbia to purchase a new site and erect new buildings.

Hon. Mr. ANGERS—And a new wharf.

Hon. Mr. MACDONALD (B.C.)—Yes, and a new wharf which is much needed. There are large steamers calling at our ports now from China and Japan, and they may bring disease into the country at any time. I believe that the people will be satisfied with what is being done by the Government.

Hon. Mr. CLEMOW—This discussion has been protracted very considerably, altogether owing to the course pursued by the gentleman leading the Opposition in this House. I may say that this is one of his usual attacks of a chronic disease; every year we hear from him the same tirade of abuse against any Government measure that is intended to have a beneficial effect on the country. I am not surprised myself that he has taken his usual course in this instance, because on previous occasions he has acted in a similar way. I have actually known that hon. gentleman to oppose measures before he himself understood their provisions. I must, in the first instance, join with the hon. gentlemen who have eulogized the Governor-General; he has discharged his public duties creditably and constitutionally. I also concur in all that has been said by the hon. gentlemen who proposed and seconded the address with reference to our late leader. I know that Mr. Abbott assumed the position of Premier with every intention of doing all that he could to perform the onerous duties of the office; but, owing to ill-health, he was obliged to abandon his position. I regret at the same time that my confrère thought proper to attack the hon. member for Welland. I only wish the hon. member from Ottawa were here, in order that I could tell him that the hon. gentleman from Welland fought the battle of his party like an honourable man; he fell in a noble cause; he did not betray his party.

Hon. Mr. McINNES (B.C.)—The hon. gentleman will pardon me if I interrupt him, but I appeal to his sense of fairness: would it not be better to reserve those personal remarks about the hon. gentleman until he is here?

Hon. Mr. CLEMOW—I do not think there is anything very personal about it.

Hon. Mr. McINNES—I think it would be better if the hon. member were here himself.

Hon. Mr. CLEMOW—I do not think so. Let him be here to attend to his duty. A certain retraction was made to-day, but in the usual Grit way with which readers of Grit papers are familiar, they publish a falsehood, knowing perfectly well that that falsehood will be circulated, and that the retraction, when it comes, will never reach the same class of people who saw the original article. That serves their purpose. I suppose the hon. member for Ottawa considers that making a certain retraction to-day was a sufficient excuse, but if he considers that the hon. member from Welland received an ovation, after his defeat, from his friends and admirers in the county of Welland, as a substantial memento of the esteem in which they held him, I think it should suffice to prevent him from making unpleasant comments. I shall say a few words with reference to the Speech itself. A great effort has been made by a few parties in this House to convince the people that this country is not prosperous. Statistics have been brought to our recollection and notice to establish the truth of the statement. We have also had statistics to prove the contrary. I hardly think that is necessary, because every man of us in this House of mature age, as I am, must know of his personal knowledge that this country is prospering, and prospering marvellously. It does not require statistics to prove an obvious fact, although there was one man who stated he would not believe statistics of any kind; that is the hon. member from Marquette. If these statistics are worth anything, I think they should be accepted without question, and I believe they have been compiled in a reliable manner. I do not think that it is necessary to refer to statistics to prove that the country is prospering, because every man in this House must know and acknowledge that it is. I was at the opening of the first railway in this country; I have seen this country prosper and grow from a very small beginning to the proportions it occupies to-day; so that I feel satisfied from what I have seen with my own eyes, that the statement in the Speech from the Throne is perfectly true. Last year the timber business of this section of the country was certainly marvellous: and I may tell you that for the ensuing year every solitary stick of timber has been sold in advance at a large remunerative price over previous years; and we expect a large trade exceeding that of every previous year. These are facts which cannot be gainsaid, and therefore, I do not think it is exaggerating to say that we are prosperous. I heard a good deal during this debate with reference to the position the Government took in reference to the canal tolls. There must be a very great deal of sensitive feeling with reference to the American people. I remember the time when our neighbours were not very sensitive respecting solemn treaty rights. They agreed to give us the use of their canals putting us on the same footing as their own people. We trusted in their good faith; but we found our great mistake at that time. Our neighbours were treated with every consideration by the Government of this country. Although the Government of this country at that time had no power to give them authority to use our canals between Lake Champlain and Ottawa, yet, acting without law, you may say, though in a proper manner, they gave them the opportunity of using our canals—a privilege to which they were not entitled. What I am finding fault with is the fact that some of our people evince a disposition to endorse everything that Americans say or do, no matter what it may be, if it is antagonistic to the feelings and statements of our own citizens. For my own part, while I have nothing to say against the American people, I would certainly rather take the statements given to me by our own friends, the people of this country, than I would the statements made by the Americans. As far as our Government are concerned they have acted in a straightforward manner in reference to the canal tolls question; there was no discrimination against the American people; the Government were perfectly right, and if we are to encourage our own trade, I do not see what other course could have been pursued, under the circumstances, than the course they followed. I heard some hon. gentleman—I do not know whether it was the hon. member for Ottawa or not—condemning the Government, or pretending to condemn the Government because they had undertaken the construction of the Sault Ste. Marie Canal. If there is one measure more than another, for which the people of this country feel under a lasting obligation to the Government, it is the measure they adopted with reference to the construction of the canal. I endorse the saying of the Duke of Wellington "In time of peace prepare for war." Having that canal built, we will be independent of the American people and able to manage our own affairs in our own way; and if any international dispute should arise in the future, we will have this canal of our own to depend upon. I believe further that this canal will be a necessity before long. The present canal at Sault Ste. Marie was fully occupied last year; I believe vessels had to remain there sometimes 48 hours before they could get through. Our canal will therefore be a necessity, and I think the Government have acted wisely in undertaking to construct it. I hope they will push it to completion at the earliest date possible, for the purpose of giving this country the advantages that the canal will afford. Of course, as you know, there are people in this country who are dissatisfied with everything; no matter what course you pursue you will find a certain number of people who will find fault with it. Objection was taken to the carrying out of the Act passed some years ago with reference to the Trade and Commerce Bureau. I think that it is an Act that will redound to the credit of the Government. It will place the important affairs of trade and commerce in a different position from the one they formerly occupied. Our present leader of this House will give this matter every consideration; and I prophesy before very long that we will find beneficial results from having the charge of this department in his hands. He will have an opportunity of ascertaining from actual observation what is necessary and how we can increase the volume of trade of this country. Hitherto he was engaged with minor matters, with a small matter probably involving $20 or $30, and he had not the time or opportunity to give such attention to the larger question as he will have in the future. These comptrollers will also, I believe, greatly facilitate the business operations of this country. They have already, as you know, visited several of the principal points; they have had interviews and exchanged sentiments with the commercial men of this country, and this will enable them to come to a conclusion in many matters which they will report to the head of the department; and it will have a beneficial effect in that respect, and also in reference to many other points that formerly had to be adjudicated by legal process, which entailed a great deal of time and a great deal of expense. This, to a very great extent, I believe, will be obviated in the future by the action of the Minister of Trade and Commerce. Therefore, under all the circumstances, the Government certainly have acted in the best interests of the country. I am glad to find such unanimous feeling expressed in this House in reference to the appointments they have made of two gentlemen in the Senate. I do not think that they could have acted in a manner that would be more acceptable to the people of this country. A regret has been expressed that some gentlemen already in the Senate itself had not been appointed. That is a selfish view to take of the matter. The Government have made a judicious choice, and the future will show that in the hands of our leader and his hon. colleague, their respective duties will be performed in such a way as will redound to their credit and to the benefit of this country. Under all the circumstances, we can congratulate ourselves that after the departure of our late Premier, Sir John Abbott, the office is now filled by a gentleman who will perform the duties with satisfaction to all. No one deplores the departure from this Chamber of our late Premier more than I do. I had the honour of knowing Mr. Abbott for a great many years, and I always found that he did everything in his power to promote the best interests of the country. But his mantle has fallen upon a man who, I think, will perform the duties in a way that will give equal satisfaction. I believe that at this time the country are perfectly satisfied that the choice has fallen upon Sir John Thompson. We have every cause to feel that the affairs of the country will be well administered by the gentleman we have now at the head of affairs. A great deal has been said during this debate with reference to the course that will be adopted in the future. The National Policy has, I believe, played a great part in the advancement and prosperity of the country. Without the National Policy I do not know what would have become of the country. At that time you all knew that the country was on the verge of ruin; it was almost impossible for a man to live and remain in this country. Some remedy was needed; they applied the remedy, and we have had the beneficial result for the last twelve or fourteen years. I do not pretend to say that some modification of the tariff is not necessary; I do not mean to say that some change may not be required; but I am surprised, under all the circumstances, that the National Policy has worked with so little friction, and that it has rendered such service to the country. I have no doubt, when the subject is fully considered by the authorities and by the people, who are particularly required to look into these matters, that they will make all the investigation required, and that they will legislate, and will carry out a policy for the benefit of our country alone. We are told that there will be a change of policy upon the other side of the line. That may be very true, but I think myself that we ought to pursue our own course, and carry out our own policy, and that we ought to act independently of any other country. We should do as we have done in the past, try to live among ourselves, to support ourselves, to advance as we have advanced in the past. We are a progressive people; our trade is increasing from year to year, and we have opportunities of extending it to a very much greater extent. That has been shown to you by figures and statistics during this debate and it is unnecessary for me to dwell upon the subject now ; but I will say that with a self-reliant population possessing the powers that we do, with a young and virgin country, with the North-west now opening up a field for our young men, in a very short time we will be enabled to compete with any other section of the world. They tell us our census shows that our population has not increased in the proportion that it should have increased. It may not have grown in the same ratio but at any rate we have made a decided advance in other respects, I believe, to a greater extent than almost any other country on the face of the globe. When you remember that we have only had the opportunity of settling the North-west for the last five or six years. I do not think it can be said with any degree of truth that we have retrograded. We have increased, and we will increase ; and with these facilities which are now being offered, I believe we will have a large settlement in the North-west before very long; and then we will be able to supply the world with all the food products that they require for their consumption. Then we will realize the benefit arising from the Canadian Pacific Railway. We cannot expect everything in a day. The United States territory has been filling up ; that country is pretty well filled at the present time, and now it is our turn. We are offering inducements to settlers ; we will do everything in our power to secure a class of people that will be a benefit to the country, and who will be sure to remain with us as British subjects. I believe, that there is no fear of annexation or commercial union, or anything else of the kind. The people of this country are loyal and are determined to remain a part and parcel of the British Empire. I believe that nothing can seduce them from their allegiance to the Queen and their country.

Hon. M. ARMAND—Honorables messieurs, en débutant dans la discussion sur l'adresse, en réponse au discours du trône, je regrette que la santé n'ait pas permis au vaillant baronet de rester au timom des affaires de son pays, car j'ai confiance dans son esprit de justice, dans son esprit de probité, dans son amour du travail pour l'expédition des affaires, autant que j'avais dans les vaillants baronets qui l'ont procédé, autant que j'avais dans sir Louis Hyppolite Lafontaine, dans sir George Etienne Cartier, dans sir Etienne Pascal Taché, d'autant plus que, comme eux, il est enfant du sol, notamment de la province de Québec, et que, comme eux, il parle français et que pour cela il a fait ce que font une multitude de savants du plus glorieux, du plus brillant, du plus puissant empire, qui ne voit jamais coucher le soleil sur ses possessions, et qui disent que : s'ils ne savaient pas le français, ils ne se considèreraient pas pour instruits. Aussi je lisais dernièrement, avec orgueil sur les journaux des Etats-Unis, que le distingué, que le savant, que le brillant évèque d'Ogdensburgh disait : que la langue française est non seulement la langue officielle des gouvernements civilisés, mais qu'elle est encore l'une des deux langues de la diplomatie de l'Eglise de Rome. Vous voyez, honorables messieurs, que ceux qui parlent français sont en bonne compagnie ; vous voyez que nous sommes noblement vengés de ces éteignoirs fanatiques qui voudraient non seulement prohiber l'étude du français, mais encore prohiber la connaissance de Dieu dans les écoles d'une certaine partie du Nouveau-Monde, notamment dans Manitoba. Aussi, je suis heureux de voir qu'un des items du programme électoral du futur président des Etats-Unis, dit : que pour lui, il ne permettra jamais que les pères de famille, relativement à l'éducation de leurs enfants, soient tyrannisés et qu'il en sera ainsi pour la liberté civile et religieuse de tous ceux qui voudront venir vivre, croître, grandir et respirer l'air de la liberté de la République Américaine. J'ai la douce espérance qu'il en sera ainsi pour le parlement de la Puissance du Canada et que les aviseurs du représentant de notre auguste, notre gracieuse et bien-aimée souveraine l'impératrice des Indes, celle qui préside si dignement aux destinées d'Albion, en feront autant pour la liberté des pères de famille du Manitoba, relativement à l'éducation de leurs enfants. D'autant plus que cette question des écoles séparées a été une des questions *sine qua non* de la Confédération, comme l'a judicieusement proclamé dernièrement, l'honorable William McDougall, qui est, incontestablement, l'une des plus belles intelligences du barreau d'Ontario. Qui a été, tour à tour, ministre, membre du parlement et lieutenant-gouverneur et qui est un des derniers survivants des pères de la Confédération.

Honorables messieurs, je dois féliciter le présent *leader* du gouvernement de ce qu'il a imité la conduite de son illustre prédécesseur, car tous deux, à leur avénement au pouvoir, se sont révélés diplomates distingués. A l'arrivée de l'ex-premier, nous n'avions plus au Sénat de ministres responsables à la Couronne. Nous avions que des ministres sans portefeuille. Nous n'avions plus de *leader* accrédité, nous avions que des *leaders* improvisés. Le présent *leader* du gouvernement nous a donné un ministre français pour être l'organe de ses nationaux ; ministre qui nous a été enlevé depuis la résignation de l'honorable ministre Chapais. Durant la vacance il a circulé une rumeur, qui disait que le présent gouvernement voulait soumettre aux chambres le transfert du chemin de fer Intercolonial, à cette puissante compagnie qui a émerveillé le monde de ses succès et qui a mystifié nos intelligents et industrieux voisins, qui disaient, dans leurs journaux du temps, que le parlement canadien allait se brûler les doigts dans la construction de leur chemin de fer du Pacifique, car pour eux, ils en avaient eu tout leur roide, et qu'il leur avait fallu succomber dans la construction de la leur. Vous savez, honorables messieurs, que la construction du chemin Intercolonial a été une des conditions *sine qua non* de la Confédération. Sa construction, son entretien et son administration ont été comme un chancre aux flancs de la Confédération. Honorables messieurs, c'est ma conviction que la puissante Compagnie du Pacifique, avec son esprit de finance, d'administration, avec ce que les Anglais appellent, dans leur esprit pratique, son *go-ahead*, ferait une affaire payante pour sa compagnie. Oui, c'est ma conviction que le Pacifique, avec sa puissante rivale, la compagnie du Grand Tronc, qui elle aussi, a émerveillé le monde par la construction de son immense voie ferrée et par la solidité de ses travaux, tel que la construction du pont Victoria qui a été dans le temps, non seulement une des merveilles du Nouveau-Monde, mais encore une des merveilles des temps modernes. Je suis certain que ces deux puissantes compagnies aidées des différentes compagnies de la Puissance, feront des communications si nombreuses et si faciles qu'ils mystifieront de nouveau nos intelligents voisins, en rendant illusoires, ce mur de Chine qu'ils ont prétendu ériger sur les confins de la Puissance du Canada. Ici, honorables messieurs, il ne faut pas s'illusionner, notre commerce naturel est avec la mère-patrie, est avec l'empire britannique, est avec Albion, cette nouvelle Tyr des temps modernes. Oui, Albion, avec son île, surnommée l'Ile des Saints, avec ses millions d'habitants, saura bien disposer de nos grains, avec sa flotte qui sillonne les mers, qu'arrose les parties du globe habité jusque dans ses limites les plus reculées. Oui, Albion, saura bien par une union commerciale avec ses nombreuses et immenses colonies déverser le surplus de son or, notamment dans la Puissance du Canada, qui est, incontestablement, l'un des plus beaux diamants de sa couronne. Honorables messieurs, maintenant je vais vous dire, sans arrière-pensée, en vertu d'un principe mémorable, qui dit : "que tout homme doit être libre de dire son opinion, sinon il ne mérite pas de porter le glorieux nom d'homme." Je ne puis pas comprendre, je ne puis pas m'expliquer, je ne puis pas concevoir pourquoi les gouvernements monarchiques lésinent tant à payer les délégués de la nation, surtout quand je vois des gouvernements démocratiques se faire un devoir de les payer généreusement bien. Oui, en effet, vous voyez la République Française, la République Américaine, ces deux plus vastes, ces deux puissantes républiques des temps modernes. La République Américaine paie $5,000 par année à ses députés, avec bien des accessoires ; les frais des députés sont payés durant tout le temps de leur mandat. Cette question du salaire des députés fédéraux n'est pas une question nouvelle, je puis vous en parler savamment, avec connaissance de cause, j'en connais quelque chose ; mais avant, laissez-moi vous dire que je suis dans la vie publique depuis 1858. J'ai vu se dérouler bien des parlements ; j'ai vu se succéder bien des ministères. J'ai toujours observé que chaque gouvernement, qui avait de grandes mesures à présenter, commençait par voir ses amis, par s'assurer de la majorité de ses partisans, et qu'ensuite il marchait sans s'occuper des qu'en dira-t-on ; sans s'occuper de ces braillards pharisaïques, mais je ne pourrais pas en dire autant de l'ex-gouvernement, car durant les deux dernières sessions il lui a été intimé que c'était le désir des membres, vu les dépenses considérables dans lesquelles ils étaient entraînés, par la durée et la longueur des sessions qui se prolongent jusque dans la belle saison avancée, dans le temps des affaires commerciales et agricoles. Vous le savez, honorables membres, que l'agriculture et le commerce, surtout dans ce pays, sont la base nécessaire et le levier le plus puissant de la prospérité des peuples. Je sais, honorables membres, qu'il y a eu des dissidents, mais ces dissidents étaient dans une si infime minorité que ce n'aurait pas été, de la part de de l'ex-gouvernement, manquer de courtoisie que de passer outre. S'il m'était donné de soulever le voile qui cache le désintéressement de quelques-uns des dissidents, je trouverais, je ne dis pas que je trouverais des désirs de *boodlage* et de *jobbage*, si malheureusement familiers à nos municipalités de villes et de villages, mais j'y trouverais un désir bien prononcé d'éloigner de la vie publique, ces députés qui ont quitté le toit paternel, n'ont apporté, pour tout patrimoine, que leur plume derrière l'oreille et que depuis ils ont démontré, à l'évidence, à la jeunesse industrieuse et laborieuse de leur pays toute la véracité de cette parole qui dit: "qu'il faut vouloir pour pouvoir"; qu'avec du travail, avec du courage, avec de l'énergie, avec de la persévérance on peut toujours acquérir l'honneur, la gloire et la fortune ; on peut toujours gravir les degrés de l'échelle sociale. Je connais plusieurs députés qui appartiennent les uns à la profession du droit et de loi, les autres à la médecine, au commerce et à l'agriculture qui me disaient : Monsieur, quand je suis entré dans la vie publique, je m'étais fait une belle clientèle, je m'étais acquis une honnête et légitime aisance, mais je vous avoue que mon mandat terminé je suis bien décidé de rester chez moi, car je ne veux pas imiter la conduite de plusieurs de mes prédécesseurs qui, pour s'être cramponnés à la vie publique, ont laissé leur veuve et leur famille dans l'indigence, car vu leurs absences souvent renouvelées, leurs clients les avaient abandonnés parce qu'ils n'avaient pas confiance dans leurs associés. Quand je pense que des avocats comme sir Louis Hyppolite Lafontaine, sir George Etienne Cartier et sir Aimé Dorion qui étaient considérés comme des fleurs, comme des princes du barreau de leur province, ont laissé leurs veuves et leurs familles, non pas dans l'indigence mais à peine dans une honnête et légitime aisance. J'ai souvenance qu'un voyageur distingué, faisait son tour d'Europe, passant devant la résidence de Lady Cartier, arrêta pour la saluer et en faisant ses adieux lui dit : My Lady, est-ce que nous n'aurons pas le plaisir de vous voir revenir vivre dans notre pays. "Oh ! non, monsieur, je suis trop pauvre pour retourner vivre dans mon pays et y maintenir la position qu'y a faite mon mari." Quand je pense qu'il en serait ainsi de la baronne lady Macdonald, si des amis fortunés ne fussent pas venus à son secours. Je vous ai dit, honorables membres, que cette question du salaire des membres fédéraux n'était pas une question nouvelle. Au début de la Confédération je recevais une lettre du dernier premier ministre de l'union des Canadas, et celui qui succédât au président des pères de la Confédération, le vaillant baronet sir Etienne Pascal Taché. Dans cette lettre, le dernier premier ministre me disait : "Des nécessités, des exigences politiques demandent à ce que vous cédiez votre siège de la division d'Alma pour celui de la division de Repentigny, d'autant plus que l'on me dit que vous êtes qualifié dans cette dernière division (la qualification d'alors était de $800) et dans le cas que vous ne seriez pas qualifié, vous devriez le faire, car la chose en vaut la peine, le salaire des membres fédéraux sera à l'avenir de $2,000 par année. Je lui répondis : "que pour aucune considération je ne céderais mon siège de la division d'Alma, division que je tiens, je pourrais dire comme le grand roi "et par droit de conquête et par droit de naissance," cependant, dans les circonstances présentes je me ferai un devoir de le céder en faveur de ce vénérable vieillard, qui a toujours marché dans les rangs du parti canadien-français, qui a été un des bras droits du gouvernement Lafontaine-Baldwin, qui, pour être utile à son parti et à ses amis, voyant que sa vigueur juvénile disparaissait avec l'âge, céda son portefeuille de secrétaire provincial et son comté de Verchères en faveur de ce jeune homme qui était plein d'avenir et qui réalisa les espérances que ses compatriotes formaient sur lui. Ce vénérable vieillard ayant éprouvé des revers de fortune manifesta le désir de se retirer de la vie publique, mais il avait compté sans l'habitude qui devient, comme vous le savez, une seconde nature, ce qui a eu lieu pour lui. Ce vénérable vieillard voyant que le parlement fédéral allait être convoqué, voyant qu'il ne serait pas appelé à y prendre part, se trouva épris d'une peine et d'un chagrin qui empoisonnaient ses jours. Sir George Etienne Cartier en étant informé, lui écrivit de suite et lui dit que puisqu'il désirait mourir sous le harnais de la politique active, il trouverait bien, parmi ses compatriotes, un quelqu'un qui lui serait agréable, ainsi qu'à ses amis et à son parti. Ce sont là,

honorables messieurs, les considérations qui m'ont engagées de céder mon siège pour la division d'Alma, pour celui de la division de Repentigny; je ne m'en repens pas. J'ai été heureux de faire connaître à mes concitoyens d'origine étrangère, que si les Canadiens-français savent qu'il y a un temps pour résister, ils savent aussi qu'il y a un temps pour céder quand il y a de nobles exceptions, telle que dans la personne de ce vénérable vieillard, l'honorable James Leslie, qui avait toujours été incorruptible, inébranlable à l'instar de ces vieilles roches qui ne remuent pas et sur lesquelles la mousse ne disparaît jamais. Je termine, honorables messieurs, mais avant que de prendre mon siège, avant que de m'asseoir je dois avertir le présent gouvernement et les gouvernements immédiats de bien réfléchir sur la légitimité du salaire des membres, car nous ne sommes plus à l'époque de ces gouvernements oligarchiques où il fallait aux députés déléguer quelques-uns d'entre eux en Angleterre pour avocasser au pied du Trône la légitimité de leurs demandes et de leurs droits méconnus, car de cette opposition il pourrait surgir des complications sérieuses qui démontreraient que cette obstination avait été une aveugle et malheureuse obstination, car les enquêtes qui ont eu lieu durant l'année qui vient de s'écouler, tant au fédéral qu'au local, démontreront à l'évidence que si la probité n'est pas encore disparue de la politique, du moins la vie frugale, la vie d'abnégation, de désintéressement n'est plus ce qu'elle était autrefois, n'est pas ce qu'elle était dans ces anciens citoyens de l'empire romain. Vous connaissez, honorables messieurs, cette épisode de la vie domestique de ce citoyen, de ce cultivateur, je pourrais dire de ce héros romain, qui, le lendemain d'une grande bataille, remportée par une victoire signalée, fut trouvé dans son champ, mangeant appuyé sur les manchons de sa charrue.

The motion was agreed to.

The Senate adjourned at 11.10 P.M.

THE SENATE.

Ottawa, Friday, February 3rd, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THE STANDING COMMITTEES.

MOTION.

Hon. Mr. BOWELL moved the appointment of the following committees:—

LIBRARY COMMITTEE.

Hon. Messrs. Allan, Almon, Botsford, Boucherville de, Drummond, Gowan, Landry, MacInnes (Burlington), Masson, McClelan, Miller, Murphy, Poirier, Power, Scott, and Wark, a Committee to assist His Honour the Speaker in the direction of the Library of Parliament, so far as the interests of this House are concerned, and to act on behalf of this House as members of a Joint Committee of both Houses on the Library.

The motion was agreed to.

PRINTING COMMITTEE.

Hon. Messrs. Bernier, Casgrain, Desjardins, Dever, Dobson, Gowan, Guévremont, Kaulbach, Lougheed, McClelan, McKindsey, Macfarlane, Ogilvie, Perley, Pelletier, Power, Primrose, Read (Quinté), Sullivan, Vidal, and Wark, a Committee to superintend the Printing of this House during the present session, and be instructed to act on behalf of this House with the Committee of the House of Commons as a Joint Committee of both Houses on the subject of Printing.

The motion was agreed to.

COMMITTEE ON BANKING AND COMMERCE.

Hon. Messrs. Abbott (Sir John Caldwell), Allan, Bellerose, Botsford, Bowell, Boyd, Chaffers, Clemow, Cochrane, Desjardins, Dobson, Drummond, Ferguson, Lewin, Lougheed, Masson, McCallum, McLaren, McMillan, MacInnes (Burlington), Macpherson (Sir David Lewis), Miller, Montplaisir, Murphy, Price, Prowse, Reid (Cariboo), Robitaille, Sanford, Smith, Sullivan, Thibaudeau, Vidal and Wark, a Committee on Banking and Commerce for the present session, to whom shall be referred all Bills on these subjects, and that for the purpose of organization only, thirteen members of the said Committee shall be a quorum thereof.

Hon. Mr. BOWELL said: I was informed by the Clerk that it was thought advisable last year, although there is nothing on record to show it, to specify that, for the purpose of organization only, thirteen members of the Committee should be a quorum.

Hon. Mr. SCOTT—It has been the custom in this House that each Committee should regulate its own quorum.

Hon. Mr. BOWELL—There must be a majority of the Committee present for the organization ; then, after the organization, the Committee can decide what its own quorum should be.

Hon. Mr. DICKEY—It is entirely new, except as to the action taken by the House last year. Up to 1892 no such qualification appeared upon the resolution. For the first time in the history of this House it was done last year and made applicable to three of the largest Committees, the Committee on Banking and Commerce, the Committee on Railways and Canals and the Committee on Standing Orders and Private Bills. As far as I can recollect, and as far as the Debates show, it was made without any explanation to the House. I imagine it was intended to be a qualification of the general rule of this House, which fixes the majority of each Committee as a quorum unless the House shall otherwise direct. We have always acted upon that, and I imagine that in all cases there has been that majority. The first meeting of the Committee is generally the most largely attended. For my own part, I think the resolution as it stands is quite right, and I only refer to it as being a change in the practice which obtained for 24 years. The effect of it is this : take for instance the Committee of which I have been for a long time chairman—the Committee on Railways—composed of 43 or 45 members : it would require, for the purpose of organization, a majority of that Committee, but afterwards the Committee could ask the House for permission to reduce its quorum to any number that might be thought advisable. In most instances a reduction has been made to a quorum of nine, and that has been found to be convenient, because during the meeting of the Committee some of the members, from want of interest, leave and we should be left without a quorum for the transaction of business.

The motion was agreed to.

THE RAILWAYS, TELEGRAPHS AND HARBOURS COMMITTEE.

Hon. Messrs. Abbott (Sir John Caldwell), Allan, Almon, Angers, Bellerose, Boucherville de, Boulton, Bowell, Clemow, Cochrane, Dickey, Drummond, Ferguson, Howlan, Kaulbach, Kirchhoffer, Landry, Lougheed, McCallum, McClelan, McDonald (C. B.), MacInnes (Burlington), McKay, McKindsey, McMillan, Macdonald (B. C.), McInnes (B. C.), Montgomery, Miller, Murphy, O'Donohoe, Ogilvie, Perley, Power, Price, Robitaille, Read (Quinté), Reid (Cariboo), Sanford, Scott, Smith, Snowball, Sutherland, Tassé, and Vidal, a Committee on Railways, Telegraphs and Harbours for the present session, to whom shall be referred all Bills on these subjects, and that for the purpose of organization only, thirteen members of the said Committee shall be a quorum thereof.

The motion was agreed to.

CONTINGENT ACCOUNTS COMMITTEE.

Hon. Messrs. Abbott (Sir John Caldwell), Allan, Armand, Botsford, Bowell, Chaffers, DeBlois, Dickey, Dobson, Drummond, Flint, Howlan, McClelan, McDonald (C.B.), McInnes (B.C.), McKay, MacInnes (Burlington), McMillan, Macfarlane, Macpherson (Sir David Lewis), Miller, O'Donohoe, Ogilvie, Pelletier, Perley, Poirier, Power, Prowse, Read (Quinté), Robitaille, Sanford, Scott, Smith, Snowball, and Tassé, a Committee to examine and report upon the Contingent Accounts of the Senate for the present session.

The motion was agreed to.

STANDING ORDERS AND PRIVATE BILLS COMMITTEE.

Hon. Messrs. Almon, Angers, Armand, Bellerose, Bernier, Bolduc, Botsford, Boulton, DeBlois, Dever, Flint, Glasier, Gowan, Guévremont, Howlan, Kirchhoffer, Landry, Lougheed, Masson, McInnes (B.C.), McKay, McLaren, McMillan, Macdonald (B.C.), Macdonald (P.E.I.), Macfarlane, Merner, Miller, Montgomery, Montplaisir, Murphy, O'Donohoe, Ogilvie, Pelletier, Poirier, Power, Primrose, Prowse, Read (Quinté), Reesor, Scott, Sullivan, Sutherland, and Tassé, a Committee on Standing Orders and Private Bills, with power to examine and inquire into all such matters and things as may be referred to the said Committee, to report from time to time their observations and opinions thereon, and to send for persons, papers and records, and that for the purpose of organization only, thirteen members of the said Committee shall be a quorum thereof.

The motion was agreed to.

DIVORCE COMMITTEE.

MOTION.

Hon. Mr. BOWELL moved :

That the Hon. Messrs. Gowan, Kaulbach, Lougheed, McKay, McKindsey, Macdonald (B.C.), Ogilvie, Read (Quinté), and Sutherland, be appointed a Committee on Divorce.

He said :—I have had a good many suggestions made to me with regard to the constitution of this Committee. I would prefer leaving it altogether in the hands of the House, from the fact that they must have, from a long acquaintance with the different members, a better knowledge of the requirements of the case. I understand that many questions arise in that Committee which render it advisable that there should be a physician among its members. I shall be glad to accept any suggestion from the House.

Hon. Mr. McKAY—I should like to have my name omitted from the list.

Hon. Mr. POWER—Although I have not been on the Committee, I know that the opinion of its members is that the hon. gentleman from Truro was one of the best and most attentive of the members. I think it would be a mistake to drop his name from the list. I quite agree with the leader of the House in thinking that the constitution of this Committee may be modified with advantage. I have not a word to say against any hon. gentleman whose name is included in the list; but every one knows that the duties of the Divorce Committee are of a very important nature and that it really constitutes and was intended to constitute a court, and that the proceedings are supposed to be conducted in accordance with the practice of the courts of law. It is desirable, therefore, that it should be as strong professionally as possible. Last year the hon. gentleman from Amherst, who had for a great many years been chairman of that Committee and had always been one of its most valuable members, felt himself obliged to retire. Since last session we have been fortunate enough to have added to our numbers a gentleman of the legal profession in the vigour of youth—the Hon. Mr. Kirchhoffer. The suggestion might as well come from a member not interested in the Committee as from another, that the hon. gengleman should be added to the Committee. I also approve of the suggestion made by the leader of the House, that there should be a physician on the Committee. Either my hon. friend from British Columbia (Mr. McInnes) or the hon. gentleman from Welland (Mr. Ferguson) should be on the Committee. By our rule the number of the Committee is limited to nine, and therefore it would be necessary that one or two of those who are now on the list should drop out and that professional gentlemen should be appointed in their places.

Hon. Mr. DICKEY—I rise to express my entire sympathy with the views expressed by my hon. friend from Halifax. I think they are entitled to quite as great consideration as if they came from a member of the House who does not entertain the conscientious scruples with regard to the subject of divorce that he does. I rise because my hon. friend has referred to myself as having been once connected with that Committee. That is quite true, and it is equally true that I felt bound to retire from the Committee because it was inconsistent with the proper discharge of my duties as chairman of one of the hardest working committees of the House and for other reasons. It is quite true also that the Divorce Committee is eminently a judicial tribunal, performing judicial functions in hearing evidence, deciding upon it and reporting their decision to the House for final adjudication. Under these circumstances, I think even those who feel those conscientious scruples to which I have already adverted, will admit that if this is not to be a mere farce and sham, it is quite necessary that all the different elements should be represented for the purpose of arriving at a proper decision in settling cases of that kind, and it is certainly necessary that the judicial element should be strongly represented. As the matter has now taken a position before the House which calls for putting on or off—because as my hon. friend has truly said the number of the Committee is limited to nine—the only question to decide is what members would best represent the House in that preliminary function and arrive at the best decision for guiding the House in dealing with these questions. I hope it will only be necessary to consider who those should be to take the places of any gentlemen who are anxious to retire.

Hon. Mr. MACDONALD (B.C.)—I would suggest that Dr. McInnes should be placed on the Committee instead of myself. He is a physician and has been on the Divorce Committee before. The present system, in my opinion, is unsatisfactory. Here are a number of gentlemen sitting in a quasi-judicial position to take evidence and report it to the House. Their report goes to what you may call a jury of this House. Now, the Senate does not always listen with the attention that it should to the details of these cases, and I think every one will agree with me that cases have often been carried in this House by haphazard. There has been a great deal of lobbying, and members have been carried away, perhaps, more by their sympathies than by the merits of the case. If the Government can see its way to establish a divorce court, that is the proper way to dispose of such cases. This session already there are eight cases in sight, and there may be three more, and it is throwing more work on a Committee of this House than can properly be attended to in addition to the work of the other Committees. It often takes days, and sometimes weeks, to carry a case through the Committee. After that it has to come before this House, and if the Bill succeeds here it goes to the other House to be dealt with by 200 members who are still further removed from the impression created by hearing the evidence. The decision is often arrived at by chance or accident. We know that a great many of the members of both Houses are entirely opposed to divorce, and probably if they were in the majority they would grant nothing more than is recognized in the province of Quebec—a separation. I think the question ought to be removed entirely from this House. The present system is most unsatisfactory.

Hon. Mr. KAULBACH—I am not at present prepared to express an opinion on the issue raised by my hon. friend. I think it is rather premature, and that this is not the best time to discuss it. We are now simply dealing with the personnel of the Committee. I agree with those who say that the Committee can be improved—I will not say the judicial part of it. It may not be quite appropriate for me to speak of the professional part of the Committee, but I agree with the opinion expressed, that there should be a medical man among the number. I know we have often felt the need of the advice and assistance of a medical man, and I have had, myself, to apply for information to physicians outside of the Committee. Therefore, I think that an improvement can be effected in that direction. The Committee should be stronger in both professions than it is now. Beyond that, I have nothing to say about the personnel of the Committee. I have peculiar views on the subject, but I shall say nothing further on that point. I should be sorry to see the hon. member from British Columbia leave the Committee, he has been one of its most attentive members, and although not a member of either of the professions referred to, he has a judicial mind, and generally concurs in the view of the majority. Unfortunately for myself, I am frequently with the minority.

Hon. Mr. SUTHERLAND—I have been a member of that Committee and as I do not claim to possess any judicial experience, I should be most happy to give way to some one better qualified for the position than myself.

Hon. Mr. McINNES (B.C.)—I am very sorry indeed that my colleague wishes to retire from the Divorce Committee. I was a member of that Committee for a number of years, and I can say conscientiously that a better member than my hon. friend (Mr. Macdonald) could not be found, and I regret to learn that he desires to retire. I may also say I have no desire to become a member of that Committee again, because it is one of the most responsible Committees of the House, and makes larger demands on the time of its members, probably more than all the other Committees combined. However, I have never shirked a duty that devolved upon me as a member of this House, and will not in the future, and if the House so desires I shall consent to become a member of that Committee on one condition—that is that the Hon. Dr. Ferguson, who has just become a member of the Senate, shall also be added to the Committee. On one or two occasions while I was a member of that Committee medical questions arose, and the whole burden of dealing with one or two cases was placed on my shoulders. Of course, I had the valuable assistance of Senators belonging to the medical profession who were not members of the Committee, but I would have preferred to have one or two other medical men with me on the Committee. The medical training and long Parliamentary experience of the hon. member from Welland highly qualify him to be a very valuable member of the Divorce Committee.

Hon. Mr. KAULBACH—I shall not suggest who should retire from the Committee, but as the hon. Senator from Brandon is a member of the legal profession and his name has been suggested, it would necessitate the retirement of three of the old members.

Hon. Mr. MACDONALD (B.C.)—I am glad that my hon. friend consents to my name being dropped from the Committee.

Hon. Mr. GOWAN—I have been for some four years a member of that Committee, and I can say that upon no occasion was there any remissness on the part of any of its members in the performance of a most unpleasant and most painful duty. I should be sorry to see any of the gentlemen who compose the Committee removed, as it were, but I can understand that if representations have been made to the leader of this House he would very naturally desire to act upon the advice of the Senate rather than upon his own motion. I am not one of those who spoke to him on the subject, nor did he speak to me, but I think it would be a very invidious thing to remove any one from the Committee, which is limited to nine members, unless there was some cause for removal, or unless a member himself desired to be removed from the discharge of the very unpleasant duties of that Committee. It must be very obvious to every one that there ought to be a certain number of professional men on that Committee, not merely because it is a fact-finding body, but because there are preliminary proceedings, questions with regard to service, procedure, etc., of a purely technical character that professional men are best qualified to form an opinion upon. As a mere fact-finding body, I think that laymen, as a rule, are quite as competent to draw correct conclusions on the facts, as a doctor or a lawyer could possibly be. To enable the House to act with freedom in the matter, and to give them a larger margin, I would myself say that I have no desire whatever to remain on the Committee, and if the House will appoint another, I shall be very glad to withdraw from the discharge of a duty which I have always looked upon as a very painful one. If the House desires to have a larger hand, without any feeling of delicacy in reorganizing, I should be glad to retire.

Hon. Mr. POWER—I would suggest to the Premier to take a vote on all the names of the committee men.

Hon. Mr. ALMON—I should be sorry to see Judge Gowan dropped from the list. He was the author of the present system, and it would be worse than divorcing a wife from a husband, to permit him to retire from the Committee—it would be like separating a child from its parent.

Hon. Mr. DICKEY—As it has been suggested that there should be at least two changes, it would be better to take the names, and then the Committee could be framed from them afterwards.

Hon. Mr. DEVER—There are three of the members willing to resign, and if they retire I should like to see two medical men on the Committee. I have always taken a great interest in the proceedings of the Divorce Committee. I remember one instance in which legal gentlemen alone could not have decided the case. It was only when three medical men were called upon to advise them that they were able to do justice in the case. I would therefore propose that Dr. McInnes be added to the Committee.

Hon. Mr. READ (Quinté)—As a member of that Committee for a number of years I must say I think their judgment must have been in accordance with the evidence given, because their decisions had to be endorsed not only in this House but in the House of Commons. The proceedings of the Committee have always indicated the greatest regard for justice, and I have never seen an instance of partiality. While speaking on the subject I do not think that members should be appointed to that Committee who, on principle, have any objection to divorce, as I know the hon. member for Welland has. The members of the Committee should be unbiassed in their judgment. We must remember that there is a solid phalanx who vote, not on the merits, but vote conscientiously against divorce irrespective of what the merits are; and having that in view, it is quite evident to my mind that the Committee must be composed of men who are unbiassed. Otherwise no case could be fairly decided with that solid phalanx coming up and, no matter what the evidence may be, religiously voting—not refraining from voting but religiously voting against it in both Houses. I think only such members of this House should be appointed to that Committee as are not prepared to say "I am against divorce under any circumstances." They should be ready to do justice to all parties whose misfortunes may oblige them to come before the Committee. I would be very glad to be relieved from serving on the Committee. I have acted upon it for many years. I know there was a little trouble on that Committee and my hon. friend from Amherst did not have everything just his own way, and of course he left it. But there was no farce about the decisions of the Committee; it was solid sound judgment.

Hon. Mr. FERGUSON—I desire to say that I have strong opinions on the subject of divorce. I believe that the marriage contract is one that every one ought to be compelled to keep, as they are compelled to respect any contract under the civil law. Holding these opinions I may say that I have no desire—on the contrary, I have an objection—to go on the Committee. However, whatever this honourable House feels disposed to do, I think I have sufficient sense to judge of every case on its merits and according to the evidence given. I have strong opinions, and always have had in the lower House on the subject of divorce cases. I daresay that I voted against nearly all the Bills that came to us, because I had not the privilege of reading the evidence. It was generally voluminous and it came to us there with only a few hours' notice, but as I said before, I have very strong opinion upon the marriage contract, which I think is almost a sacred contract, if not entirely sacred, and should be kept, just the same as a contract made under the civil law from which no man has a right to come to Parliament to ask to be relieved. And I believe, judging from the places I have visited in the United States, more particularly in the state of Illinois, that the easier you make the relief from this contract the more applications you will have for divorce; therefore I have strong opinions on the matter. At the same time, I am willing, as a member of this House, if the House so desires, to obey the command of this honourable House, though I shall do so reluctantly; and I do not think I am so prejudiced that I would be unable to decide according to the evidence. While, I would be very much obliged to the House if they would relieve me from the responsibility of going on that Committee, as a young member I have always felt it my duty in every sphere of life to assume that responsibility which may surround the position in which I am placed and I am willing to respect the wish of the Senate.

Hon. Mr. McKINDSEY—As a member of the Committee, I have no disposition to press my claim to remain one of its members. I am like the other members who have sought an opportunity of withdrawing from that Committee. It would appear now that nearly every gentleman on this Committee has expressed his desire to be relieved. I would suggest, therefore, that these names be left entirely out of the question, and that a committee be appointed singly, one by one, of any members of the House who may be named. That would prevent any one being offended if he happened to be left off. For my part, I shall not be offended if I am dropped. I have no desire to be on the Committee at all. I quite agree with the hon. member from Amherst who stated that a certain number of the legal fraternity should be upon that Committee, and I quite agree with Judge Gowan, who says he is willing to leave the matter with the House. I am strongly of opinion that it should be a mixed Committee. There are laymen who can decide on matters of fact with as great a degree of certainty, probably, as legal men. We have had a great deal of conversation about it, and it seems that almost every gentleman on this Committee is quite willing to retire, and I think that should be considered; and the House might name each individual to go upon the Committee. This discussion has taken place because of the necessity of having a medical man upon that Committee. I think all who have spoken have expressed a desire to retire from the Committee, and we might take them at their word and appoint a new Committee. If that course is adopted, I have great pleasure in moving that Judge Gowan be a member of this Committee.

The motion was agreed to.

Hon. Mr. McINNES (B.C.) moved that Mr. McKindsey be a member of the Committee.

The motion was agreed to.

Hon. Mr. McCLELAN moved that Mr. McKay be a member of the Committee.

Hon. Mr. McKAY—It looks to me as though, out of compliment to the members of this Committee, they are all going to be reappointed, which I do not think is proper. Perhaps we might resort to some of the original men on this Committee, and I would therefore move that Hon. Mr. Dickey be a member of this Committee in place of myself.

Hon. Mr. McCLELAN—I may say I have served on this Committee, and on my application to the late leader of this House, Mr. Abbott, he kindly consented to appoint a gentleman whom I recommended, and I have since been informed that that gentleman has been a very conscientious and painstaking member, and it is wholly on that ground that I hope he will continue to serve.

The motion was agreed to.

Hon. Mr. McINNES (B.C.) moved that Mr. Ferguson be a member of the Committee.

The motion was agreed to.

Hon. Mr. POWER moved that Mr. Kirchhoffer be a member of the Committee.

The motion was agreed to.

Hon. Mr. PERLEY moved that Mr. Lougheed be a member of the Committee.

The motion was agreed to.

Hon. Mr. DEVER moved that Dr. McInnes be a member of this Committee.

The motion was agreed to.

Hon. Mr. MACDONALD (B.C.) moved that Mr. Kaulbach be a member of the Committee.

The motion was agreed to.

Hon. Mr. POWER moved that Mr. Read of Quinté be a member of the Committee.

The motion was agreed to.

Hon. Mr. READ (Quinté)—I will do my duty if the House desires me on the Committee, but I think I have served long enough.

Hon. Mr. BOWELL—That is nine members. The Committee will therefore consist of the following gentlemen:—The Hon. Messrs. Gowan, McKindsey, McKay, Kirchhoffer, Lougheed, McInnes (B.C.), Ferguson, Kaulbach and Read (Quinté).

THE CANADIAN PACIFIC RAILWAY COMPANY'S STOCK.

MOTION.

Hon. Mr. BOULTON moved:

That he will ask the Government to cause to be laid before this House, a copy of all Orders in Council authorizing an increase in the capital stock of the Canadian Pacific Railway Company, since the passage of the Act of 1892, authorizing the company to increase its capital stock subject to the approval of the Government.

Hon. Mr. BOWELL—I may inform the hon. gentleman, unless he desires to make a speech on this motion, that no application has been made on the part of the Canadian Pacific Railway for an Order in Council under the Act to which he refers, and therefore there will be no papers to bring down; so unless he desires to address the House, he might allow the matter to drop.

The motion was allowed to stand.

THE MANITOBA SCHOOL ACT.

MOTION.

Hon. Mr. BERNIER moved

That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will be pleased to cause to be laid before this House:—

1. A copy of the deliberations, resolutions and ordinances of the former Council of Assiniboia, relating to educational matters within its jurisdiction as it existed on the banks of the Red River before the creation of the province of Manitoba.
2. A statement of the amounts paid by the said Council of Assiniboia for the maintenance of schools, showing the persons to whom such payments were made, the schools for which such amounts were paid, and the religious denomination to which such schools belonged.
3. A statement of the amounts paid by the Hudson's Bay Company, or by its agents, to the schools then existing in the territories forming to-day the province of Manitoba.
4. A copy of all memoranda and instructions serving as basis for the negotiations as a result of which Manitoba became one of the provinces of the Confederation; together with a copy of the minutes of the deliberations of the persons charged, on both parts, to settle the conditions of the creation of the province of Manitoba and of its entrance into the Confederation; and also, a copy of all memoranda, returns and Orders in Council, establishing such conditions of entrance, or serving as a basis for the preparation of "The Manitoba Act."
5. A copy of the despatches and instructions from the Imperial Government to the Government of Canada on the subject of the entrance of the province of Manitoba into the Confederation, comprising therein the recommendations of the Impe-

rial Government concerning the rights and privileges of the population of the Territories, and the guarantees of protection to be accorded to the acquired rights, to the property, to the customs and to the institutions of that population by the Government of Canada, in the settlement of the difficulties which marked that period of the history of the Canadian West.

6. A copy of the Acts passed by the Legislature of Manitoba relating to education in that province, and especially of the first act passed on this subject after the entrance of the said province of Manitoba into the Confederation, and of the laws existing upon the same subject in the said province immediately before the passing of the Acts of 1890, relating to the Public Schools and relating to the Department of Education.

7. A copy of the Acts passed by the said Legislature of Manitoba in 1890, on the subject of education and the organization of the Department of Education.

8. A copy of all regulations with respect to schools passed by the Government of Manitoba or by the Advisory Board in virtue of the laws passed in 1890 by the Legislature of Manitoba, relating to Public Schools and the Department of Education.

9. A copy of all correspondence, petitions, memoranda, resolutions, briefs, factums, judgments (as well of first instance as in all stages of appeal), relating to the school laws of the said province of Manitoba, since the 1st June, 1890, or to the claims of Catholics on this subject; and also, a copy of all reports to the Privy Council and of all Orders in Council relating to the same subject since the same date.

Hon. Mr. BOWELL—There is no objection to the address.

The motion was agreed to.

A PROPOSED ADJOURNMENT.

Hon. Mr. BOWELL called the attention of the House to certain requests which had been made for an adjournment. Without expressing an opinion as to the propriety or impropriety of adjourning, he thought there would be no objection on the part of the Government to an adjournment at this period of the session, for the reason that there was no work at present before the Senate, and no likelihood of there being any for some days. The length of the adjournment would be for the House to consider. It would be some days before any bills were sufficiently advanced in the lower House to enable them to come up before the Senate. That was more likely to be the case, because of the new procedure adopted in the Commons for the last two or three years, of going into Committee of Supply immediately after the adoption of the Address. Under the circumstances, an adjournment for a week or ten days, or even twelve, would not at all impede the business of the country, unless the Committee on Divorce, which evidently had a good deal to do, would like to have a shorter adjournment in order to get to work.

Hon. Mr. BELLEROSE—I give notice that I will move that when this House adjourns on Tuesday next, it stand adjourned till three weeks from Monday.

BILLS IN THE SENATE.

INQUIRY.

Hon. Mr. MACDONALD (B.C.)—Is it the intention of the Government to bring down Bills to this House to give us work to go on with? They have sent Bills down from time to time.

Hon. Mr. BOWELL—I think there may be a few; in fact I have already spoken to the Premier upon the subject, and as many as he can possibly give us will be laid before us.

The Senate adjourned at 4.30 p.m.

THE SENATE.

Ottawa, Monday, February 6th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

HEWARD DIVORCE BILL.

FIRST READING.

Hon. Mr. GOWAN, from the Select Committee on Divorce, to whom was referred the application of Edmund Holyoake Heward, for relief, presented their first report and moved its adoption. He said: In this case we found the papers all regular, the publication duly made, the service not personal, but the terms of the rule had been complied with. The papers had been served on the father of the respondent. She was at the time supposed to be living in Chicago. He promised to give them to his daughter. Afterwards, another copy was served upon the mother of the defendant, who declined to say where her daughter was residing. Every effort was made to comply with the rule, and as a substitutional service was made, I think such service should be accepted as sufficient.

The motion was agreed to.

Hon. Mr. CLEMOW presented Bill (A) " An Act for the relief of Edmund Holyoake Heward."

The Bill was read the first time.

THE HEBDEN DIVORCE BILL.

FIRST READING.

Hon. Mr. GOWAN, from the Select Committee on Divorce to whom was referred the application of Robert Young Hebden for relief, presented their second report and moved its adoption. He said: In this case, as in the last, all the papers were regular, the publication was duly made in the local papers and in the *Canada Gazette.* The service was not personal as the residence of the respondent is not known. However, the parties, acting under the rule, made the best service they could. Every effort was made to comply with the rules and to bring the application to the notice of the respondent.

The motion was agreed to.

Hon. Mr. CLEMOW presented Bill (B) " An Act for the relief of Robert Young Hebden."

The Bill was read the first time.

THE BALLANTYNE DIVORCE BILL.

FIRST READING.

Hon. Mr. GOWAN, from the Select Committee on Divorce, to whom was referred the application of Martha Ballantyne for relief, presented their third report and moved its adoption. He said: In this case all the papers were regular, and notice was served upon the respondent personally.

The motion was agreed to.

Hon Mr. CLEMOW presented Bill (C) " An Act for the relief of Martha Ballantyne."

The Bill was read the first time.

THE EXPERIMENTAL FARM.

MOTION.

Hon. Mr. BELLEROSE moved:

That an humble address be presented to His Excellency the Governor-General, praying that His Excellency will please to cause to be laid before this House, a list giving the names of all persons employed at the Experimental Farm at Ottawa, with the age, nationality, religion, salary, occupation, title, and date of appointment of each such person.

The motion was agreed to.

THE CENSUS OF 1891.

MOTION.

Hon. Mr. TASSÉ moved:

That an humble address be presented to His Excellency the Governor-General, praying that His Excellency will cause to be laid before this House, information, accompanied with full explanatory remarks, from the officer in charge of the direction and superintendence of the last Canadian Census of 1891, on the following points:—

1. Was the enumeration of the French element of the population, in the taking of the Census of 1891, intended and carried on to convey the same information as was furnished by the previous Census of 1851 and 1861, of the former province of Canada, and of the Canadian Census of 1871 and 1881?

2. What was the meaning intended and the interpretation given, in the taking of the Census of 1891, to the words *French Canadian* and *Canadian French* as heading of one of the columns of Census Schedule No. 1?

3. What is the precise meaning and what is to be understood by the various words made use of in the Census Bulletin No. 11, signed George Johnson, statistician, namely, the words *Nationalities*, *Nationalités*, French-speaking, English-speaking, Canadiens-Anglais, as part of the new nomenclature adopted?

4. Were there people of French nationality, real Frenchmen, excluded from the registration of the French element of the population on account of being born outside of Canada, and were there French people included among the English-speaking on account of being able to speak the English language? Is there any connection between such cases and the nomenclature of Bulletin No. 11, and if not, why is it that the simple word French, formerly used as meaning the French element, was abandoned, to be variously replaced by the words French-speaking, French Canadians, and so forth?

5. What were, in addition to the pointed instructions, the practical explanations and directions given to the officers, commissioners and enumerators, as regards the registration of the French element of the population, or persons of French origin or nationality?

6. Was the actual enumeration of the French, in 1891 uniformly carried on throughout, in the various census districts, sub-districts and divisions?

7. Are there reasons to apprehend, from direct investigation, personal knowledge, or statistical

criticism, that the figures given as representing the number of French people, are notably deficient in some or many returns of the enumeration of 1891?

8. Were the returns delivered by the enumerators examined by the commissioners, the officers, and at the central office under the supervision, the responsibility of the superintendent, in view to test their accuracy and to correct apparent errors?

9. Was it noticed by some of the officers or the superintendent, that very serious discrepancies existed in the return of the French between the census of 1891, and the statistical series of previous censuses, and was thereby trouble taken to investigate the serious question raised by the very striking want of concordance?

10. Is there any rational explanation of the returns of 1891, by which the French appear to have met abnormous losses in their number, especially in Nova Scotia, Ontario and the Territories?

11. Are there local or accidental causes capable of explaining the vast differences in the multiplication of the French which would have taken place, if the figures of the Census of 1891 were correct, between Prince Edward Island, New Brunswick and Nova Scotia, for instance?

12. Was there, at any time, steps taken to ascertain the cause and extent of such extraordinary returns; if not, what was the cause of that omission; if so, what were the proceedings adopted, and what the results?

13. Has the Superintendent of the Census of 1891, taken notice of the very determined objection to accept the extraordinary figures of 1891, as representing the actual number of the French in Canada, and has any serious investigation of this important question been undertaken by him; if so, what are the conclusions arrived at including the statistical criticism involved.

Hon. Mr. ANGERS—The Government has no opposition to offer to the motion. I think it is a very proper motion and one which may throw considerable new light on the census. It will furnish an opportunity to the officers who have been in charge of this important work to show the public the bases upon which they have acted. It has been stated already, perhaps, in this House, although not during this session, that the bases of the present census are not the same as of the census of 1881. One reason for this is, that in 1881 we were not so particular about leaving out the absentees. A man might have been absent from Canada for two, three or four years, and still he would be recorded as a Canadian. It has now been limited to a much shorter absence. Some other inaccuracies may have occurred in 1881, owing to the fact that a man might be registered in his family and might also be registered at the very place he happened to be when the census was going on. It may have occurred—and did occur in some instances—that the same person was registered twice. It has also been pointed out—and this motion has this important point in view—that the French Canadians have not progressed of late in the same proportion as they have in the past. I think some misunderstanding may have occurred as to the way they should have been registered. Now, referring specially to New Brunswick, I have no doubt that a number of people of French descent may have been entered there under another nationality, and my reason for so stating is this, from the closest study that I could make of the history of the Acadians of that province, under the French regime, I find that the people of Acadia never would acknowledge themselves as Canadians. They were a separate people; they called themselves Acadians under the French, and today they call themselves French-Acadians; but they would not register as French-Canadians, and I could not blame them upon this point. They have a history of their own; they have a glory of their own, and they have a martyrdom of their own. They would not renounce that for fear of losing the name of Acadian. This is one of the reasons why they did not perhaps acknowledge the name of Canadian. It is very different with us in the province of Quebec, since we have been fortunate enough to extend our own name over the whole Dominion, which is called Canada, and it has not been the lot of the Acadians to have the Dominion called Acadia.

Hon. Mr. TASSÉ—I would like to ask the hon. gentleman how they have been registered—as Canadians?

Hon. Mr. ANGERS—In answer to the hon. member's address, I hope the department will be in a position to state how they have been registered. Perhaps they have registered themselves under a nationality which was not really their own. The return, I presume, will show that. Now, I will give another instance of inaccuracy which may have occurred: I do not admit that any of these inaccuracies existed, but is is my duty to point out how inaccuracies might occur. A Frenchman married an Irish woman, or a Scotch woman; the person taking the census comes to the house and inquires from the woman what her nationality is; she says she is Scotch or Irish, as the case may be, and that she has got five children; she cannot understand that her children are not Scotch or Irish and she would register them immediately as seven young Irishmen or Scotchmen, though the father, a Frenchman, should under the law determine the nationality. It is a great pity that he was not at home to make the law quite clear to his wife. Such inaccuracies may have occurred; and I, for one, as a French-Canadian, suffer a disappointment in examining the census, as we all do; however, I repeat, after pointing out at first sight what might be accepted as a consoling explanation for the disappointment we have suffered, the return will be brought down and I hope will satisfy the House and the people of Canada in general. It is the intention of the Government to have some note or remark made in the preface of the census to prevent any misunderstandings or to prevent calculations being based on such statements that might be inaccurate and prejuidcial to any class of Canadians in the Dominion.

Hon. Mr. KAULBACH—Would it not be well to frame this motion so that it would apply to other nationalities as well as the French?

Hon. Mr. ANGERS—It might.

Hon. Mr. KAULBACH—I know that the basis of the census in many provinces is not the same as it was in the previous census. Many were left off the last census who had previously been on the list. I would suggest that this should not be confined to French, but should apply to other nationalities.

Hon. Mr. ANGERS—Perhaps it would be as well not to mix the two questions. If the hon. member from Lunenburg wishes to have information on another point, he might move a motion to that effect. I should like to have the return brought down to answer as fully as possible the motion of my hon. friend on the other side.

Hon. Mr. TASSÉ—If I am to accept the explanation of the hon. Minister of Agriculture, a great many of the husbands must have been absent when this census was taken. At the same time, I must say that last year, at the very last day of the session, I asked for some information in connection with the instructions that had been given by the Department of Agriculture to the census enumerators and these instructions have not been laid before this House. Can the hon. gentleman inform me when they will be brought down?

Hon. Mr. ANGERS—I shall take a note of it and make an inquiry. I will have it brought down as soon as possible.

Hon. Mr. SCOTT—To make the return more intelligible and satisfactory, I presume the hon. gentleman will have no objection to accompany it with a copy of the instructions given in 1881.

Hon. Mr. ANGERS—It is not asked for.

Hon. Mr. SCOTT—The other would be valueless without it. If there is a difference between the two years, I think it is only fair that the House should understand it.

Hon. Mr. ANGERS—The motion of my hon. friend will have to be amended to cover it.

Hon. Mr. SCOTT—Is there any objection to amending it?

Hon. Mr. ANGERS—I have no objection; I do not know whether the mover is content.

Hon. Mr. TASSÉ—I have no objection.

Hon. Mr. SCOTT—I propose that the instructions given to the census enumerators in 1881, should also be returned at the same time.

Hon. Mr. TASSÉ—May I know from the hon. gentleman when I can expect to have the information asked for in my motion?

Hon. Mr. ANGERS—I could not fix the date now. It is very hard to state when the papers will be brought down, but I hope the House will rely upon my word when I say that they will be brought down as soon as possible.

The motion as amended was agreed to.

CANADIAN PACIFIC RAILWAY COMPANY'S CAPITAL STOCK.

MOTION.

Hon. Mr. BOULTON moved—

That he will ask the Government to cause to be laid before this House, a copy of all Orders in Council authorizing an increase in the capital stock of the Canadian Pacific Railway Company, since the passage of the Act of 1892, authorizing the company to increase its capital stock, subject to the approval of the Government.

He said :—Hon. gentlemen, I have asked a question in regard to the increase of stock in the Canadian Pacific Railway. The reason I have for asking this question is on account of the Act that was passed in 1892, relative to an increase of stock in the Canadian Pacific Railway. Hon. gentlemen will recollect the Act that came before this House, a short Act which provided for an issue of ordinary stock in lieu of consolidated debenture stock. A further issue of capital stock and an issue of consolidated debenture stock. When that Act appeared in committee last year, which was the first time I had cognizance of it, I took objection to the Act, and I thought unusual powers were being conferred upon such a powerful company as the Canadian Pacific Railway Company, that would permit them, without any limitation, to increase their capital stock. I was told in defence of that that it was subject to the approval of the Canadian Government, and that therefore all the safeguards that were necessary were erected. The committee were satisfied with that, and I was satisfied also. I see now, however, that the authority to issue consolidated debenture stock without the authority of the Government, would enable them first to issue consolidated, then exchange for ordinary stock, then bond the new lines relieved from the fixed charge of consolidated stock, and then increase the capital demanding dividends. This leads, hon. gentlemen, to one of two things. Either the people must bear the rates or the credit of the country suffers by a failure to pay dividends. Immediately after the passage of this Act there was an issue of stock of the Canadian Pacific Railway Company, and it was with the knowledge of that increase of stock, immediately after the passage of this Act, that caused me to put my notice upon the motion paper, to inquire what amount of stock had been issued, and whether the necessary authority had been obtained from the Government of Canada in regard to the issue of this stock. The hon. leader of the House told me on Friday last that no application had been made by the Canadian Pacific Railway Company and that therefore, presumably, the necessity for the question did not exist any longer. Well, hon. gentlemen, I feel that the public interests at stake in regard to this matter are so great that I could not avoid explaining the reasons why I put the motion upon the paper, why I had given vent, as some people might say, to my poetic imagination as I did last Wednesday, in the debate on the Address. I live, as you all know, 1,600 miles from here in the province of Manitoba, and I live in the interior of the country among the farmers. We have been a little unfortunate this year with a short crop and low prices, and all the winter the price for our oats has ruled 13 cents a bushel ; although it has not always been quite as bad as that. The price of our wheat varies from 25 to 50 cents a bushels, and we have to pay for coal oil 45 cents a gallon. The reason that our oats only bring 13 cents a bushel is because the rates on the Canadian Pacific Railway absorb a very large portion of the merchantable value of it in the rates. Oats is a good crop with us generally, and if plump and heavy, will find a market in England, but if light will have to be sold in Montreal for about 33 cents. A buyer informed me that the rate on oats to Montreal is 20 cents a bushel, and on account of dry weather our crop was light in yield and weight. The reason that our coal oil is so dear, as I explained to hon. gentlemen last week, is because the duty put upon coal oil, and the rates charged by the Canadian Pacific Railway to convey that coal oil to us are so great, that when it arrives in our neighbourhood it costs us 45 cents a gallon. Hon. gentlemen will understand that if you only receive 13 cents a bushel for your oats, which is your staple, or 25 to 50 cents for wheat, which is your staple, and have to pay 45 cents a gallon for coal oil, and have to pay for everything else in proportion, it must bring hardship. If that hardship is unavoidable we can bear it, but if it is not unavoidable we want to see our way out. I will acknowledge that coal oil is a difficult thing to convey, and the rates, of course, are more on coal oil than on sugar or nails ; but the inequality between the value of our labour in the sale of oats and wheat, and the value of our purchasing power in the matter of coal oil, &c., and the dividends that the Canadian Pacific Railway is earning out of the industry of the country is of such a character that it cannot be said there is an equitable distribution of the profits of labour; for that reason, hon. gentlemen, I watched carefully the purpose of the Act of last year and became seriously alarmed at the increase of capital stock of the Canadian Pacific Railway. Since the hon. leader of the House told me that no application was made to the Government, I had the opportunity of asking one of the leading officials of the Canadian Pacific Railway with regard to the issue of stock, and he told me that the debenture stock is a first charge, a fixed charge upon the road, differing in that way from the ordinary stock; but this Act that was passed last year gave power to the Canadian Pacific Railway to exchange its ordinary stock for debenture stock—to change backwards and forwards. Well, apparently the Act does not prevent the Canadian Pacific Railway increasing its debenture stock while it controls its issue of ordinary stock so far as the approval of the Dominion Government is necessary to allow it to do so. I think myself that the same thing ought to have been done with regard to debenture stock as has been done with the ordinary stock; and that the control of the Government should have been exercised in both cases.

Hon. Mr. BOWELL—For fear there might be a misapprehension, I may repeat what I stated—that no application had been made by the Canadian Pacific Railway directors for an increase of their stock. I gave no opinion as to what they had done in reference to the change of one stock to another.

Hon. Mr. BOULTON—I am quite aware of that. It is in consequence of your saying that there was no application made that I am now endeavouring to see whether I was incorrect in regard to the position I had taken, and I find that I was mistaken in this, that the issue in July of last year, was consolidated debenture stock and not ordinary stock. The traffic returns of the railways of Canada are presented for the information of the people of Canada through the Statistical Year Book, which is a compilation of ordinary statistics, including the returns handed over to the Government by the private companies and corporations as required by the Government, who hand them in turn to the public through these channels, and by the Statistical Year Book of Canada, page 457, I see in 1890, that there was 5,085 miles of railway of the Canadian Pacific Railway Company in operation, and that the capital paid up was $255,854,948. A little lower down I see that the New Brunswick system, which is part of the Canadian Pacific Railway system—although I believe only a leased part of it—was 415 miles. The capital paid up was $15,424,496 on this system. Then I see a year later, in 1891, a foot note and asterisk where the New Brunswick system was entered the year previous, the foot note saying "included in Canadian Pacific system." Therefore, that has increased the mileage of the Canadian Pacific Railway system from 5,085 miles in 1890, to 5,537 miles in 1891; but the capital returned as capital paid up has increased from $255,000,000 in round numbers to $279,000,000 in round numbers, or in other words, when the New Brunswick system was by itself, the capital paid up was returned as $15,000,000; when it is absorbed in the Canadian Pacific Railway system it becomes $24,000,000.

Hon. Mr. SCOTT—I beg the hon. gentleman's pardon for interrupting, but I think the figures are very misleading indeed. That could not possibly be paid-up capital. I have been trying to make out what these figures are. I think it is the total cost of all the railways and the rolling stock. It certainly is not capital account.

Hon. Mr. BOULTON—I give it as it is returned here.

Hon. Mr. SCOTT—This is not a return for which there is any authority. It is not possible—they have only a capital of $65,000,000.

Hon. Mr. BOULTON—It is very improper that such a return should appear in our statistical reports.

Hon. Mr. SCOTT—Oh, yes, it is wrong.

Hon. Mr. BOULTON—It is on page 247, and the return is in reference to several railways: Canada Atlantic, $3,000,000 capital paid up; Canada Southern, $4,000,000; Canadian Pacific Railway, $255,000,000 paid up; and so on. Now, these returns must come from the railway company. They cannot be the imagination of the Government.

Hon. Mr. SCOTT—It must be wrong; the Canada Atlantic have not any such capital paid up. That is more than the whole value of the railway—bonds, rolling stock, capital and all.

Hon. Mr. BOULTON—I am quite aware of that. If you give me time I will come to these points; but what I wish to point out is, that it appears in the public returns of the country that the capital paid up of the Canadian Pacific Railway in 1890 was $255,000,000, and the following year $279,000,000—there is the country's authority for the statement—and it is natural to suppose that, under the Act of 1892, passed last year, whatever capital stock may be at the present moment claiming dividends, they have the power to increase it up to $279,000,000 if they choose to do so by a vote of their shareholders. At any rate, hon. gentlemen, you will admit that we, who have to judge of these things from a public stand-point, have only got this material to work with. I have here the Canadian Pacific Railway account—their annual report—and I have the statistics given us from the Year Book, and I see that the capital stock has been increased by $24,000,000 between 1890 and 1891, simply by the absorption of the New Brunswick system, which, when it was by itself, was only $15,000,000, and therefore I should imagine the transaction was a sale of the New Brunswick system for $15,000,000 and a transfer to the Canadian Pacific Railway for $24,000,000. That, I presume, is the nature of the transaction that has occasioned this increase. Of course, it is quite capable of explanation if it is wrong; if it is improper, and if it is not a correct presentation of the case, it should certainly disappear from the statistics of the country, which are most misleading to us when they are not correct. The hon. leader of this House asked us last Wednesday to accept as actual facts the statements given to us for our information through these statistics, and therefore, accepting them in that spirit, I can only take it for granted that there is a foundation for the return on this page.

Hon. Mr. SCOTT—I sent for the return while the hon. gentleman was speaking. There is an official return, published by authority, a summary statement of the capital of all the railways I have it in my hands; and my hon. friend is in error. This report by the Bureau of Agriculture is not authentic, and it is entirely wrong. It is absurd to talk of $15,000,000 for the New Brunswick system.

Hon. Mr. BOULTON—I would refer the hon. gentleman to another return on page 463, entitled the actual and theoretical cost of the principal railways in Canada. There the Canadian Pacific Railway is returned as 5,537 miles; the theoretical cost is put down as $186,000,000, and the actual cost returned as $279,000,000; cost per mile $50,433. This return shows us that the actual cost of the Canadian Pacific Railway is $279,000,000, $8,000,000 a year is three per cent interest on $279,000,000; on 6,000 odd miles of road, at $50,000 per mile: the safety of the company or the credit of the company does not demand dividends on such an excessive cost.

Hon. Mr. SCOTT—That is the cost of the railway—not the capital account.

Hon. Mr. BOULTON—These figures tally with the figures on page 457, where it is represented as $279,000,000, capital paid up.

Hon. Mr. BOWELL—Does that include the subsidies?

Hon. Mr. BOULTON—I do not think it includes the subsidies. That is just the very point I wish to arrive at. If the Canadian Pacific Railway are going to claim dividends on the subsidies as well as on the outlay of their own capital, I say the greatest injustice would be done to the people who have to support the Canadian Pacific Railway; and if this Act was passed last year for the purpose of working up that $279,000,000 and getting the three per cent dividends for that amount for all time to come, a great injustice is done to the industry of the country whose earnings have to support the Canadian Pacific Railway and pay whatever dividends are returned as part of the profit of the road; and I wish to bring to the notice of the people of the country that these dividends are excessive and that they are pressing upon our industries and with the protective tariff are restricting the development of the whole country; and for that reason it is well for us to understand exactly what we are doing in regard to this matter. I have heard it stated —I think by Mr. VanHorne—that one-third of the earnings of the road come from our western country. The earnings last year according to the Canadian Pacific Railway report were $20,000,000. One-third of that is nearly $7,000,000. Now, hon. gentlemen, if we contribute $7,000,000 to the earnings of the Canadian Pacific Railway, you will grant that at any rate we should have some voice in saying whether the policy that is governing the great and powerful corporation is a just one to all who are connected with the country at large, and to us particularly in Western Canada, who have to pay exceedingly long transportation rates in order to market our produce and get our returns, and it is that fact, that we have to contribute so much to the Canadian Pacific Railway, that justifies me in coming before this honourable House and asking these questions and placing these facts before the House. Now, the Canadian Pacific Railway report is given to us; it is courteously sent around to every hon. gentleman. Every year we get one of these reports and we are at liberty to examine it and find out for ourselves exactly what the operations of the company are, and now I come to the actual cost as shown through their balance sheets. The actual cost of the Canadian Pacific Railway as shown by the balance sheet of 1891 is as follows:—

Main line	$130,499,104 90
Lines acquired or held under perpetual lease	18,818,912 80
Branch lines	10,000,000 00
Rolling stock	14,000,000 00
Shops and machinery	1,228,000 00
Atlantic and North-western Railway, 5 per cent bonds	3,240,000 00
Columbia and Kootenay Railway, first mortgage	693,500 00
Advance on lake and ferry steamers	652,000 00

Now, that is given to us in this balance sheet as the cost of the road, and those figures total up $180,000,000 altogether. I am not reading all the figures in that report. There are other items such as the China and Japan steam-ships amounting to $3,471,000. I have not included that, because, of course, that is represented by the steam-ship company. Nor have I added supplies and material on hands, $2,524,000. Then the Dominion guarantee funds for the dividends, $3,712,000, I have not added, although it is part of the dividends and might properly be added to the cost of the road, because it is interest provided for the capital during construction. However, I have not included those three latter items. It appears in the balance sheet altogether, including all the items, that is, temporary loans on security, cash in treasury, etc., that the total amount is $206,524,000, so that the hon. gentleman from Ottawa may see that it is working up towards the $279,000,000.

Hon. Mr. SCOTT—Cost, not capital.

Hon. Mr. BOULTON—The actual cost is working up to $279,000,000. There is the item of the lines built by the Government, $35,000,000, which is not included in this estimated cost—the lines between Lake Superior and Winnipeg and the 200 miles in the Rocky Mountains and the Pembina Branch which were made a free gift; also 15,000,000 acres of land unsold, which at the average per acre of last year's sales, according to their own account, would realize $62,640,000. Now, the Canadian Pacific Railway Company might feel that they were entitled to get dividends on that $35,000,000 worth of railroad that the Government presented to them and on the $62,000,000 worth of land that the Canadian Government gave them. I am showing in what way it might be increased to the $279,000,000. At all events, the balance sheet shows the actual cost as $206,000,000. Now, on the other side of the balance sheet you will see where the money came from that provided this $180,000,000.

Mortgage bonds sold	$47,956,000
Four per cent consolidated debenture stock	19,770,000

That is prior, I suppose, to the issue of consolidated debenture stock last year, which I think was $12,000,000.

Land grant bonds	$18,426,000
Government subsidy	25,000,000
Lands sold	19,558,000

That includes $10,000,000 worth that the Dominion Government bought back of the subsidy of 6,500,000 acres at $1.50 per acre, when the company were financing for construction.

Town site sales	$2,183,000
Bonuses from municipalities	348,000

Hon. gentlemen will see that these are all securities that have been sold, that are fixed charges against the road, that total up altogether $133,244,531, as money that has been provided by the sale of these securities, and which have become fixed charges by the company, and under bonds authorized by the Canadian Parliament. Then, after that, they have on hand, according to their own statement, 16,111,000 acres of land. I have put the value of that land at $2 per acre. The selling price at present realizes from $4 to $4.75 per acre, according to last year's sales, so the land is becoming a valuable asset, and I have put it down at $2 per acre, so that it may represent a good, fair cash asset, if the development of the country goes on as it is doing at the present moment. Add that $33,000,000 to the $133,000,000 of the bonds that they have sold, the proceeds of which have gone to the construction of the road, and then deduct that from the other side of the balance sheet, and it leaves $22,700,216.45 as an actual asset which might be represented by the money paid in by the shareholders. I see that a letter has appeared in the New York *Times* and in one or two other newspapers which evidently are not very friendly to the company. In that letter it is represented that the amount really contributed by the Canadian Pacific Railway shareholders did not amount to twenty-two millions of dollars at all. However, I do not propose to go into that question, I am simply taking this balance sheet just as it is presented to us to show, according to the Canadian Pacific Railway Company's own showing, what the cost of the road has been, and to show according to their own statement where the receipts and moneys have come from and what the cost of construction and what amount, adding the assets of land grants, the Dominion Government has given them. That leaves twenty-two millions of dollars. The annual earning power of the Canadian Pacific Railway as I explained last year, amounts to $20,241,000 and the working expenses to $12,231,000, leaving the net earnings $8,009,659. The fixed charges are $4,644,493 and the surplus was $3,345,166, which is the dividend paying power of the Canadian Pacific Railway stock apart from the guarantee fund that was deposited with the Dominion Government of three per cent for ten years. Now, what I contend in all fairness to the people of Canada, who have to work hard for the produce that they raise in order to pay their way, is that $3,345,000 which represents a portion of their earnings, is out of all proportion for interest upon the twenty-two million dollars, comparing it with the prices farmers realize for their produce. If we had free trade the volume of business would increase under it, and I venture to say, without pressing unduly upon the industry of the people, the profits of the Canadian Pacific Railway would be more than they are to-day, notwithstanding the power of extraction both the Government and the Canadian Pacific Railway exercise.

Hon. Mr. SCOTT—The stock proper is sixty-five millions of dollars.

Hon. Mr. BOULTON—According to this statement, Sir, I contend that somewhere in the neighbourhood of $22,000,000 represents the money that was paid into the work, in addition to the bonds that were sold, in addition to the consolidated debenture stock sold, in addition to the cash subsidy given and so on, represents the capital that may be claimed to have been paid in by the Canadian Pacific Railway shareholders themselves—the originators of the company. Now, five per cent interest on that $22,000,000 is in the neighbourhood of $1,000,000 and every hon. gentleman will acknowledge that five per cent interest is a very good rate indeed for a permanent investment such as the Canadian Pacific Railway Company is likely to prove. But the dividend that is being taken and charged through the rates is three and a half millions of dollars nearly—that is two and a half millions of dollars in excess of what is reasonable and fair for the capital that has been invested in that line. The concession of half a million dollars to the people of western Canada, when the crop was poor and the prices for their wheat and oats were low, would make all the difference of prosperity or difficulty and trouble, and yet, notwithstanding the fact that those dividends are heaping up and as we have been given to understand, while the dividend, or rather net earnings last year were eight millions of dollars—they have been increased this year, I understand, by about a million—notwithstanding that increase of dividends and notwithstanding the fact which the company knows perfectly well, that we have had a hard season in consequence of difficulties over which we have no control ourselves, that we have those rates to pay, a concession of half a million of dollars last year would have made all the difference in the world to the people of our western country in the success of their operations, and it is with a knowledge of the fact that there has been no diminution of the freight rates that I bring up this subject. The freight rates have been going on and keeping up just exactly in the same proportion. I will read from their report what their rates are. The earnings per ton per mile in 1889 were 91 cents; in 1890 they were 84 cents; in 1891 they were 91 cents again, so that notwithstanding the fact that the company has been exceedingly prosperous and that the country has supported the railroad in a most unusual and excessive degree, there has been no concession in the diminution of the rates which are charged to the people of the country for the carrying of their produce. I am quite willing to accord to the Canadian Pacific Railway the credit that they are deserving of for the successful management of their line. I do not think there has been any parallel to it. The administrative ability at the head of their management and the administrative ability at the head of their departments is most excellent and very largely contributes to the success of the railroad. It must not be forgotten, however, that the geographical position of Canada, the unusual advantages that Canada offers for a transcontinental line, also contribute very largely to the success of the enterprise. They are indebted also to the people who live along the line, and who, by their industry, have supplied the traffic and produce that enable the company to earn these large dividends. Now, let me quote from page 26 of the report, to show exactly what the company carried to earn their income. The quantities were in 1891, as follows:—

Flour	2,318,000 brls.
Grain	24,894,000 bush.
Live stock	309,000 head.
Lumber	630,000,000 feet.
Firewood	121,000 cords.
Manufactured articles	985,000 tons.
All other articles	860,000 tons.

Hon. gentlemen will see that it is our lumber, our flour, our grain, our live stock, our general merchandise that contribute to this income. The people have to buy their general merchandise, and have to sell their lumber, grain and flour, and it is out of the earnings of the people in that way and their passenger travel that the earnings of the company are made up. The Canadian Government has also been liberal to the railroad in their mail carriage. They earn $516,098.45 a year for carrying the mails, and in addition to that they have been treated most liberally in the gifts which have been given to them, and which have imposed on the people of Canada a heavy liability which has yet to be paid off and the interest on which has to be met. The gifts by the Canadian people to the company amount to $116,603,493, as follows: Cash subsidy, $25,000,000; cash for land purchased, $10,189,521; 650 miles of railway built in the most difficult part of the line, $35,000,000; 30,000,000 acres of land, less amount repurchased, 23,000,000 acres at $2, $46,000,000—those are the gifts, and to that extent we can fairly claim to be sleeping partners, with the privilege of waking up now and then. All that has been made a free gift to the company, and it is with the knowledge of these facts that I have brought the subject to your notice. So far as the rates are concerned they are not equitably levied—they are not levied with the idea of developing the industries of the country to the fullest extent. The rates press upon our produce.

Hon. Mr. MacINNES (Burlington)—Would the hon. gentleman be surprised to know that the Canadian Pacific Railway Company's rates to the Atlantic seaboard are 3½ to 40 per cent lower than any of the American lines and during open navigation *viâ* Montreal, the advantages to the Canadian farmer are increased from 17½ to 47½ per cent.

Hon. Mr. BOULTON—I took the ground in my remarks on the trade question the other day that the material prosperity of Canada as compared with that of the United States was not the question that we had to deal with—it was whether we could have more material prosperity in Canada by the adoption of a different policy. The question of what the freight rates are in the United States has nothing whatever to do with us. Can we not get better freight rates than the people of the United States? Are there not conditions existing in the United States such as we complain of at the present moment in Canada—have not railroads in that country heaped up their capital account, heaped up the dividend earning demands of their railways to such an extent, that in order to meet the excessive demands of capital in that country they cannot bring down their rates? The proposition that we, who have been so liberal to the Canadian Pacific Railway, should keep up our rates as they are kept up on the other side of the line is not the question at all. I am not discussing the question of rates, but I am explaining how the rates are levied so far as they press upon us. What I am discussing is the fact of the Canadian Pacific Railway Company's dividend of $3,500,000 on $22,000,000 capital being out of proportion to the earnings of the people.

Hon. Mr. ANGERS—The hon. gentleman's contention is that the Railway Company is getting 15 per cent.

Hon. Mr. BOULTON—Yes, sir ; I have shown by the figures here that the original outlay of the Canadian Pacific Railway shareholders was twenty-two millions of dollars.

Hon. Mr. McMILLAN—Are you quoting from the outrageous reports that appeared in some American newspapers recently?

Hon. Mr. BOULTON—No, I never saw the article to which the hon. gentleman refers until some one pointed it out to me after I had put my motion on the paper. I am quoting from the report of the Canadian Pacific Railway Company itself.

Hon. Mr. MacINNES (Burlington)—I see the hon. gentleman has the report of the Canadian Pacific Railway Company under his hands, how then can he say that the capital of the company is only twenty-two millions of dollars? He evidently does not understand the report, or he is misleading the House. I will tell the hon. member from Marquette what the facts are about the capital stock.

Hon. Mr. BOULTON—What is the history of the Canadian Pacific Railway Company as far as the capital stock is concerned? The original stock I believe was five millions of dollars. Then there was a share dividend which increased the capital stock to twenty-five millions of dollars.

Hon. Mr. SCOTT—It was originally twenty-five millions of dollars.

Hon. Mr. BOULTON—It was originally five millions of dollars and was afterwards increased to twenty-five millions of dollars. Then under the General Railway Act which gives the railway companies free license to increase their capital stock, it was increased from twenty-five millions of dollars up to one hundred millions of dollars. Then Sir John Macdonald, when he was arranging with the Canadian Pacific Railway Company to make a loan in 1886, required that the Canadian Pacific Railway should pull down that stock from one hundred millions of dollars to sixty-five millions of dollars, or just exactly the cost of the roads that were made a free gift by the Canadian Government, and to-day their stock stands at sixty-five millions of dollars. I am explaining in what way it came to be sixty-five millions of dollars.

Hon. Mr. SCOTT—I have the original Act of the company here and it says that "the capital stock shall be twenty-five millions of dollars." That was the original capital, and it was afterwards increased to sixty-five millions of dollars, with the right to increase to one hundred millions of dollars, but it has never been increased to one hundred millions of dollars.

Hon. Mr. BOULTON—I think I am not mistaken when I say that he required that it should be reduced to sixty-five millions of dollars. It had either been increased to one hundred millions of dollars or it was in contemplation to increase it to that amount.

Hon. Mr. SCOTT—While that loan existed they were prohibited from issuing more than sixty-five millions of dollars stock.

Hon. Mr. BOULTON—When the hon. gentleman says that the capital stock is sixty-five millions of dollars I am showing that the capital stock should not be sixty-five millions of dollars, so far as the money that was put into the road by the original shareholders is concerned. I am trying to get an equitable arrangement between the people who are supporting that line and those who are reaping the profits from their earnings. You know the same contest is continually going on between companies and the public everywhere. What I contend is, that our western country is heavily handicapped by excessive freight rates. A friend of mine who is engaged in mining at Rat Portage, an American who lives in Wisconsin—was visiting his mine the other day and I was travelling with him. He told me that he wanted to get some wire nails, and that he called at Winnipeg to purchase them, and found that the price was six and a half cents per pound. He told me that at home in Wisconsin he could get the same nails delivered at his mill for two cents a pound, purchasing them in five keg lots. He said to the merchant "Surely you never can charge 6½ cents for those nails in Winnipeg. Show me your invoice." The merchant showed him the invoice and he found that the price of the nails in Montreal was 3¾ cents per pound and the railway rate was 1·40. I am inclined to think that there must be something wrong, because that is an excessive rate on nails. However, I give his statement, his name is P. Semple, of Oskosh, Wisconsin. The merchant in Winnipeg was selling those nails at 6½ cents per pound for the development of our mining interests at Rat Portage, while the miner from Wisconsin could purchase the same nails at home for 2 cents a pound. He also told me he had to pay 40 cents a gallon for coal oil by the barrel. The distance between the two places is only some 500 miles, and it is difficult to understand why there should be such a difference in prices.

Hon. Mr. McMILLAN—That is the country to live in—they have rattle-snake fed pork there too.

Hon. Mr. BOULTON—The fact that they can purchase the nails at 2 cents per pound while we have to pay 6½ cents is certainly a great advantage in their favour, and if we throw down our barriers we will either require the manufactures in Montreal, or in England to manufacture as cheaply, or we will get our wire nails at that low rate.

Hon. Mr. KAULBACH—The raw iron is worth more than that alone.

Hon. Mr. BOULTON—If I have made a misstatement I am only quoting the words of the gentleman to whom I refer. He is engaged in mining at the Lake of the Woods and his figures are open to verification. He also told me that coal oil was delivered at his house and put into his tank for eight cents a gallon. Take the freights on lumber. Where there is competition on the Canadian Pacific Railway the freight is very much lower than where there is no competition. We have no competition in the North-west, consequently the freight on lumber from Keewatin to Winnipeg is far greater than on other portions of the line where there is competition. Hon. gentlemen will realize the power of the Canadian Pacific Railway which extends for six thousand miles through Canada. It is not possible for the Canadian people ever to construct another line of railroad to compete with it. No private company in any district can raise its head as I told you in my poetic license, while it takes a branch line for its lunch it is now preparing to dine off the Intercolonial with a very tasty sauce in the shape of a subsidy for a fast line of steamers. What for? To benefit Chicago, to benefit wealthy American centres and compete for their traffic. If a subsidy was given to a line of steamers to South America under a free trade policy, the trade of the country would expand, and both the Canadian Pacific Railway and the people of Canada would derive more benefit than from a fast line of steamers to accommodate travel. Now, hon. gentlemen we have to ask ourselves, since we have created this powerful company, are we, through the Government of this country, going to have safe-guards erected for the people? At the present moment that company has unlimited power to make or unmake towns, and to make or unmake individuals merely by the question of rates. If a man has an industry there, it can either be promoted or ruined by the company. Let me give you an instance to show how these things can be done. In the Indian agencies, north of Prince Albert and Battleford, flour and supplies of various kinds are required. If you will look at the returns you will find that there is a considerable amount of flour shipped in over the Prince Albert line to supply the Indians in those districts. That flour we will say is shipped from the Lake of the Woods mill. That mill is supplied with wheat from Brandon or Moosomin. It is shipped to the mill, 200 or 300 miles, ground into flour and carried back some 500 miles to Prince Albert to supply the Indians. The people of Prince Albert get 40 cents a bushel for their wheat, but to get it they have to ship it out of their district to the eastern market. If they could have that flour ground at Prince Albert they would save what it has cost to ship the grain to

Lake of the Woods and have it returned in the shape of flour to their own country. What I contend is, that there should be some safeguard to prevent the Canadian Pacific Railway Company dictating terms to the people and to protect the public interests. An hon. gentleman says it is absurd, the interests of the Canadian Pacific Railway are bound up in that country, they would not do anything to oppress the people. Hon. gentlemen, if the Canadian Pacific Railway can get two rates instead of one they will take the two rates every time, no matter what the peoples' interests may be. We had last year, and we have had all winter, an illustration of how a town can be injured by a railway company. The people of Fort McLeod are called upon to leave the homes which they have occupied for ten or twelve years and build a new town at a site selected by the railroad company. The history of Fort McLeod is this · When the North-west Mounted Police went there in 1873 a post was located. A number of people followed the police to furnish supplies to the post and a village sprang up. It became necessary in consequence of the growth of the country to build a new post, and the Government selected a place some three or four miles from the original location, because it was a better place for the town that would ultimately grow up. This was some years ago. The people moved to the new site and settled there and a town was built up, and farmers settled near it. The Government surveyed the town on their own land and sold the people lots and took their money, and finally a railway comes along subsidized with 6,400 acres per mile and $80,000 a year, and instead of serving the town already established there, this company establishes a town site three miles west from Fort McLeod and is now endeavouring to force the people to change from their present residences. That fight has been going on all winter. The people refuse to budge and they have not yet given in, but of course it is impossible for them to continue the fight single handed. They will have to give in because they cannot continue where they are —they cannot continue to drive three miles in order to get to the station. I drew the attention of the hon. leader of this House to the matter last year before construction was completed, when there was time to remedy it, but no notice was taken. Is it fair to the people in that western country who use their intelligence and enterprise, to locate where they believe a town is to grow up, to treat them in that way when they have the whole country to choose from? Is it fair to rob them of the fruits of their intelligence and their enterprise as this railway company is doing? The same company is doing a similar thing at Edmonton, and it is with a knowledge of these facts and of the great power a railway company possesses in that extensive country, and of the weakness of the people that I bring this subject before the House. Individually, they can do nothing; it is only through the Government that the interests of the people can be protected in the matter of rates and locating centres which shall be served by the railways, and if a people are a free people it is only through their Government they can assert their freedom. We saw the people of Regina coming down last year in regard to the location of a new line in their part of the country. They went to Mr. Van Horne. I say they should have come to our Government here—to our railway commission, and shown the position in which they stood. The company proposed to start a junction fifteen miles from Regina, though Regina is the capital of the country. The people want to know what are the physical or geographical reasons why the capital of the Territory should be ignored by starting an important junction fifteen miles away. Those representations should be made to the Government, and if the Government cannot interfere between the companies and the people, then we should have a commission clothed with powers similar to the interstate commission in the United States, to guard the interests of the people in their public and private dealings with the railway companies. What are the reasons why we should not start from Regina? Why do you start fifteen miles further on? Because probably starting fifteen miles further on, the interests of a new town site would be served and money made out of it. There can be no other reason at all. There are no physical difficulties in that country whatever; but hon. gentlemen with a knowledge of these facts, I, who reside in that country, am merely raising my voice for the people of that country and pointing out to the Government here that they should stand between the people and that powerful railway company when it comes to a question of imposing too heavy freight rates, or dealing with matters such as location or construction or anything of that kind in our western country.

Hon. Mr. ALLAN—I should like to ask whether the hon. gentleman has put his motion in proper shape. It really is not an inquiry because he does not ask a question. He asks the Government to bring down certain papers. I think it should be amended and put in the shape of an address asking for the papers to be brought down, and not left as it stands now.

Hon. Mr. SCOTT—I suppose he can put it in the form of an address?

Hon. Mr. KAULBACH—I do not propose to follow my hon. friend in this matter, because he is more conversant with the subject than I am, and I have not the facts and figures before me that would be necessary in order to deal extensively with the subject. But my hon. friend would lead us to suppose that this railway is a gigantic monopoly, terrorizing the people and depressing the industries of the North-west. I remember the time when it was feared that the company would become bankrupt and the road would fall into the hands of the Government, and the Government would not be able to run it. Now, when we find men possessing the enterprise, energy and courage of the Canadian Pacific Railway officers managing this concern as a private company, I think they have certainly a right to do as they please. It is not to their interests to oppress the people of the North-west and ruin that country. Their object is to develop the North-west and fill it with settlers; and if the policy of the Canadian Pacific Railway was, as my hon. friend desires to represent it, namely, to drive the people from the country, it would be suicidal—it would be killing the goose that laid the golden egg. At one time the railway terminus on the Pacific coast was fixed by Act of Parliament at Port Moody and I had lands there, private lands. It was in the interests of the company that they should get certain subsidies and they proposed to go twelve miles further. Did I say that they should be confined to that terminus, or that they should not go further? When it was the interest of the company, as I believe it was the public interest, to extend the line twelve miles further, did I ask the legislature to prevent them going further, although I, with others, lost thousands of dollars by the change of terminus? I do not think the Government should take control of a private company and tell them how far they should extend their lines, or where the town sites should be, or what the freight rates should be; in doing that the Government would be taking a power which they have never yet assumed. Now, as to the interest and capital, the hon. member must be mistaken: I think they have actually spent more than double $22,000,000. My hon. friend has actually taken the value of lands yet unrealized upon—because the lands are there yet. Now, if my hon. friend can show that this railway company is a tyrant and asking excessive rates, then there might be something in it, but my hon. friend has failed to do that, and I do not see why the Government should ask this company to reduce its rates. Then my hon. friend speaks of oats being worth only 13 cents a bushel. An hon. gentleman beside me suggests that he is sowing his wild oats. I think he had better give his oats to the hens or cattle. That would be much better than bringing it fifteen hundred miles for sale in competition with the oats of this part of the country: it cannot be done to advantage. If those farmers in the western country understand their business they will not bring the coarser grains, which are of little value, down here. They should be fed to the cattle in that country. It is very unwise to raise oats in that country when such grain is worth only fifteen cents a bushel, bring them over the railway that long distance, and expect to make money on them. Now, the Canadian Pacific Railway have done a great deal for this country and I believe their interests are the interests of this country, and their prosperity is dependent upon the development of the country, and that they will do nothing that will tend to delay the progress of the country in the North-west. Their interests are so thoroughly identified with the progress and development and settlement of that country that the Canadian Pacific Railway Company will never attempt to tyrannize over the people in whose interests the railway is attempted to be run.

Hon. Mr. SCOTT—I do not propose to follow the hon. gentleman who brought this motion before the House through the various figures he treated us to: but when I learned to-day that he was to bring this motion up, I had a telegram sent to Mr. Drinkwater, the secretary of the company, asking whether the company had availed itself of the right to issue stock under the Act of last year, and I received the following answer: "There has been no issue of ordinary stock under the Act of last session." The first clause of the Act of last session authorized the company by a vote of at least two-thirds of the shareholders present, to issue capital stock in lieu of debenture stock. It appears there has been no ordinary stock issued, people holding debenture stock would not exchange it for ordinary stock unless they were secured in some way. Debenture stock is a security on the assets of the company and with the ordinary stock the stockholder takes his chance. Some persons might be so enthusiastic about the success of the railway that they would imagine that ordinary stock would pay better in the future than debenture stock, and if they liked to speculate it would be fair to give them a chance; but at the present and for some years it is not likely that people will change what is a bona fide real security for one that is to some extent problematical.

Hon. Mr. BOULTON—This Act provides for the exchange.

Hon. Mr. SCOTT—Then the next clause provided that in addition to the capital stock at the time of the passing of this Act, and which may be issued under the authority of the next preceding section, the company being authorized to so do by a vote of at least two-thirds of the shareholders present, may issue capital stock for any purpose for which the company may require it, with the approval of the Governor in Council. It appears there has been no issue of stock under that section. I understood from the hon. the leader of this House a day or two ago, that there had been no application for the issue of stock under that particular clause. My hon. friend has evidently been misled by the work from which he first quoted. That professes to give a summary of the financial position of the various railways, and when I saw the authority he was using, I endeavoured to look up the source from which the figures have been obtained, and I find they are taken from the railway returns. The cost of the Canadian Pacific Railway, according to this return, was $207,000,000; that is the total property including rolling stock, and then there are the lines since acquired by the Canadian Pacific Railway, namely the Atlantic and North-western, the Manitoba and South-western, the St. Lawrence and Ottawa, the Toronto, Grey and Bruce, and the other lines forming the Canadian Pacific Railway system. They would amount to—hastily running up the figures—something in the neighbourhood of $260,000,000; so that I suppose $272,000,000 would represent what was the original total cost of all those railways.

Hon. Mr. BOULTON—If the hon. gentleman would refer to this report, this balance sheet, he will see that the aggregate cost of all those railways is included in the return.

Hon. Mr. SCOTT—If they cost the Canadian Pacific Railway that amount, then, according to the official returns, the company would not be earning a dividend sufficient to pay three per cent on that aggregate.

Hon. Mr. BOULTON—It is just three per cent on seventy-nine millions.

Hon. Mr. SCOTT—Some of the roads taken over were at the time in an insolvent position; for instance, take the road running south from Ottawa: the Canadian Pacific Railway did not undertake to pay six per cent on their bonds; they only agreed to pay one per cent; it was not earning any more than that, and they would not undertake to guarantee any more, and so with other roads. That road came under my observation, because I happened to be familiar with it. Well, now the dividend which is referred to in the return of the company is the dividend on the $65,000,000, the capital stock of the company. The interest on the charges on the other roads is given at page 19 of this report. There is a long list of railways in that page, the company have guaranteed, either the original interest, or a part, at all events, from the time the roads were transferred to them. Well, without going over all the roads, the total charges amount to $4,664,000. The net earnings of the railway were $8,000,000. The fixed charges that I have just referred to, before anything can be allotted to the ordinary stock, are $4,664,000; surplus, $3,345,000. Out of that 2 per cent has been deducted for two supplementary dividends; the company have been paying 5 per cent on its stock. Hon. gentlemen will recollect, perhaps, that in 1882 and 1883, when the company were endeavouring to establish a credit for the railway, and in order to give a value to the stock, they deposited with the Government an amount sufficient to pay for ten years 3 per cent on the stock of the company. That was deposited with the Government. The company applied the 2 per cent out of earnings towards dividends. The 2 per cent and the 3 per cent together made the 5 per cent. We all know very well that notwithstanding that deposit of 3 per cent guaranteed by the Government for ten years, the company's stock in 1883, 1884 and 1885 was down very low, among the forties; it was open to the world to buy it; it was on the Stock Exchange in London, New York and Paris.

Hon. Mr. BOULTON—It only cost twenty-five per cent.

Hon. Mr. SCOTT—That was a privilege to the original shareholders who deposited the security to build the road.

Hon. Mr. BOULTON—To what amount?

Hon. Mr, SCOTT—I am not sure; I think to $5,000,000. The stock had to be put on the market, and in order to give it value, the interest at 3 per cent for ten years was deposited with the Government. Holders of shares were at all events certain of getting 3 per cent on the stock for ten years. Even with that attraction, in 1884 and 1885, during the time the company were sustaining severe reverses in the money market, in those years they had to apply to the Government to borrow money, the stock was on the market low down in the forties, 43 and 44 cents on the dollar. I remember trying to induce a friend of mine in New York to buy the stock, but he would not; he had not confidence enough in it; and he felt greatly disappointed in after years, as many others did. It was not realized, even by the promotors, that the success of the company would have been as great as it has been. The ten years, I believe, expire in August next. The company have been enabled to pay 2 per cent with the 3 per cent that was paid out of the original deposit. Now, this surplus that the hon. gentleman has drawn the attention of the House to, will show the prudent policy of the company. If they are to keep up the stock at its present value, they must be prepared to show that the company, from its earnings, and by the accumulation of moneys that have been reserved, will be able to sustain the credit of the stock. I suppose it will be admitted that Canada now is very much interested indeed in the good name and the credit of the Canadian Pacific Railway. I think that it is admitted by all sides and by all parties, whatever our views may have been at the beginning; we are all now interested in the success of the company, and we are glad to notice that the company is adding considerably to its mileage in the North-west. I see in this report reference is made to a number of railways; the extension to the coal fields of the Souris district, and the connection of the branch at Deloraine, and several others. A number of lines are being built, and that my hon. friend will admit is beneficial; it is better to have a railway in the North-west with high charges than not to have roads at all; there is no doubt about that. The company naturally are most interested in the low rates of freight in order to attract traffic and settlement, provided they can get enough traffic to keep up the credit of the company and to pay interest on the stock. I think we may lay it down as a principle that it would be a great misfortune if from any cause the Canadian Pacific Railway stock should begin to fall in the market. It would have a serious influence on the credit of Canada, and it would be said that we were retrograding.

Hon. Mr. BOULTON—It is the increasing of the stock that is the basis of my objection.

Hon. Mr. SCOTT—I say the stock has not been increased. The hon. gentleman started out on these premises and he failed to give us any proof of the fact whether the company availed themselves of the Act of Parliament authorizing the issue of capital stock under the Act of last session. I inquired if they had and I received the answer, "We issued no ordinary stock." Then the second clause of that Act authorized the company on certain conditions to issue stock with the approval of the Governor in Council. My hon. friend is satisfied with the statement of the leader of this House that there has been no such stock issued. He knows very well the company would not issue stock subject to such a condition unless that condition had not been fulfilled.

Hon. Mr. BOULTON—I know that $10,000,000 fixed charges have been added since last year.

Hon. Mr. SCOTT—The company are building railways all the time; he has failed to show us where the increase comes in. I have the official return, and it brings it up to between $260,000,000 and $270,000,000. Those figures that my hon. friend has given us from the Statistical report are misleading, because that is not the capital paid up; the figures represent the whole cost and charges of the railway and of the other lines connected with it, including rolling stock and every liability. That is evidently what that is; it is not the capital stock.

Hon. Mr. BOULTON—Does that include the Government subsidy?

Hon. Mr. SCOTT—No, simply what the actual cost of the roads has been—what has been expended. The hon. gentleman will see that the surplus to which he alludes is not the surplus of last year, but an accumulated surplus that the company has been putting up to meet the contingency which is going to arise in a very few months. Supposing the company had not arranged for this amount of money to be held in reserve in case of reduction of traffic, what would be the effect? Why their stocks might come down. The company have only paid out of their earnings this 2 per cent; the other 3 per cent has come from the Government deposit. When that is exhausted, how will they make up the necessary amount? The company naturally and properly say, "We have been preparing for that contingency; we do not allow ourselves to be caught in such a serious financial crisis as that, and we have reserved for the benefit of that stock a sufficient amount to continue paying fair dividends; the reserve now amounts to nearly five millions of dollars. We hold that sum to the credit of the stock. If we had not that reserve there might be a fall of the Canadian Pacific Railway stock in the market." What would be the effect? They could not go on in the construction of lines in the North-west, and that would be a national calamity, there is no doubt about that. If the Canadian Pacific Railway require money to build a railway, or to perfect one that has failed in its construction, they are enabled to do so; and it is a matter of notoriety that a great many roads, after commencing construction having failed, have applied to the Canadian Pacific Railway to take them up and they have taken several roads over under such conditions; and the Canadian Pacific Railway has enabled those railways to be completed, much to the advantage of this country; it is, therefore, of the first importance that the Canadian Pacific Railway should seek to maintain the high credit at which it now stands, and it would have been a great mistake if the company had not taken those proper precautions, so that in the future their stock would be held up as high as in the past; and, having confidence in the future of the road and their power of earning money, they ask Parliament to allow the holders of debenture stock to exchange their stock for ordinary stock and take their chances of the future. I have no doubt they may in future years be induced to do so, because many of the debentures are not bearing more than 4 or 5 per cent; and the holders of this stock would say, "I think the Canadian Pacific Railway will be able to pay five or more, and I will take chances"; and so an exchange would be made. It is in the interest of the company to maintain its high credit. If they were to adopt the proposition of my hon. friend that their earnings should be reduced, they would not be able to build additional roads. To establish his statement that they are taking more from the people than is necessary for the financial credit of the company, he must show that the tariff of rates takes from the people a larger amount than is necessary to pay interest on the fixed charges, and a reasonable dividend on the stock. That is the fair criterion by which the rates must be tested. It is not pretended that you can alter the payments of interest on the fixed charges. Under the authority of Parliament certain mortgages and debenture stocks were created, not only on the main line of the Canadian Pacific Railway but on various other roads acquired by the company, and responsibilities have been assumed which must be met or the credit of the company affected, and so the fixed charges at present that are immutable are the $4,600,000, leaving only out of last year's earnings $3,000,000 odd to pay the 2 per cent that the Canadian Pacific Railway pays its own shareholders, the balance being carried forward with the balances that accumulated in former years as a reserve, lest the earning power of the road in the future should not be sufficient to pay the ordinary shareholders a reasonable dividend. That is a simple fact and those figures fully bear out and confirm what I have said. I do not propose to discuss this question of rates, because I am not in a position to do so, except to say that from the inquiry I have been able to make, I understand that the rates on American lines from Minnesota to the seaboard are higher than the rates from points north of the 49th parallel to the seaboard. Of course that is important: it shows that with the monopoly that the Canadian Pacific Railway Company at present enjoys, at all events, to a limited extent, the rates are no higher in Canada than they are on the other side of the line, where there is to a certain extent competition between the Northern Pacific, the Union Pacific and other lines centering at Chicago and which extend to the seaboard. I am assured that this is really the fact, that the rates are lower from points in Manitoba and the North-west to the seaboard, than the rates from corresponding points in the United States to the seaboard. I say this fact is important as showing that the Canadian Pacific Railway have not imposed higher rates than those which prevail on the other side of the line, where competition exists and that the rates are not higher than are necessary to maintain the credit of the company. When the hon. gentleman first brought this question up he pointed out that the rates from Minneapolis to Montreal were less than they are from Winnipeg to Montreal, but he forgot to inform the House that the distance is over 300 miles less from Minneapolis to Montreal than from Winnipeg to Montreal, and there would, of course, be a considerable difference on that account. I do not pretend to speak of the rates in detail, because I know nothing about them, but I was anxious to give the House those figures, and looking over the statement from which the hon. gentleman has quoted, I am quite confirmed in the view which I expressed, that the $270,000,000 that my hon. friend adverted to is made up in the way I have indicated, as the cost of the Canadian Pacific Railway and the subsidiary lines, and if they were really paying the dividend on the $270,000,000 at 5 per cent, it would amount to about $13,000,000. My hon. friend will see, therefore, that the dividends are not paid upon the total cost of the railway and branches. The amount on which they are paying dividends is a very much smaller figure—it is on the mortgages and on the $65,000,000 stock only. The 2 per cent on $65,000,000 is just $1,300,000.

Hon. Mr. BOULTON—The hon. gentleman will realize that what I was dealing with was the fact that this Act was passed last year, giving the Canadian Pacific Railway power to increase their stock—that the statistical returns show that there was an intent to increase it, and if the earnings did come up to $13,000,000 there would be a justification for that increase.

Hon. Mr. SCOTT—If the hon. gentleman will look at the date of this statistical return he will see that it was actually published before the passing of the Act—it was the year before. The Act was passed in 1892, and this return which he has read from was published in 1891. His conclusions are not therefore correct.

Hon. Mr. BOULTON—The hon. gentleman has brought a return to show the actual cost of the road is $279,000,000.

Hon. Mr. SCOTT—That includes cost of the main line and of all those railways that I have spoken of, the Atlantic and North-western, the Manitoba and South-western, the St. Lawrence and Ottawa, and others—two or three dozen railways.

Hon. Mr. BOWELL—It includes the whole system.

Hon. Mr. PERLEY—Since my hon. friend has posed as the champion of the North-west Territories, perhaps it would be as well for me to say something now. I shall not deal with the financial position of the Canadian Pacific Railway Company, or the policy of the Government, further than to say that I am sure both have met with the strong approval of every man in the North-west Territories; and if the hon. member desires in any way to frustrate the building of the road from the national boundary to a short distance west of Regina, his opposition will meet with the disapproval of a very large portion of the people in that part of the Dominion. Besides, I do not think for one moment that the object of the Canadian Pacific Railway Company, is to change the terminus of the line from Regina for the small penurious consideration of what they might get out of it. The object is to get the shortest possible line from ocean to ocean. The hon. gentleman has found fault with the excessive rates charged on the Canadian Pacific Railway. In some respects I think the rates are too high, but that is not the great trouble with the North-west Territories at present. The depression in that country arises from another source altogether. I understand that the freight on a car load of beef from Calgary to Montreal is $500; that is about a cent and a half per pound. Now, I think that is too high a price.

Hon. Mr. READ (Quinté)—I am informed by Mr. Cochrane that the rate charged him is one cent per pound; he tells me that he has had several loads carried at that figure.

Hon. Mr. PERLEY—I understand that we was allowed to send one car load at that rate, to see how it would work; but other parties have to pay one cent and a half and that is equal to $500 per car load from Calgary to Montreal. I know from my own district the freights to Montreal are very high, and people are complaining of them, and it is a matter which the Government may take into consideration, inasmuch as the Government has subsidized the road largely. Now that the Canadian Pacific Railway is in a paying position, the rate should be lowered.

Hon. Mr. MACINNES (Burlington)—What is the distance from Calgary to Montreal?

Hon. Mr. PERLEY—About 2,100 miles, I think.

Hon. Mr. BOULTON—I might inform the hon. gentleman that, while it costs one and a half cents to carry beef from Calgary to Montreal, it only costs a cent and a quarter to carry tea from Yokohama to Chicago or Montreal, or $335 per car load.

Hon. Mr. PERLEY—This year our wheat has commanded a very low price, and there has been some complaint on the part of the farmers that they have been charged the full rate, although the price is low. There is a feeling amongst them that when they cannot get good prices for wheat and the yield is small, the Canadian Pacific Railway Company should make some small reduction and help them to bear the burden; but with all that, I have not much fault to find with the company; the people are largely at fault themselves. In many instances, they are pursuing a wrong course. My hon. friend spoke of the low price of oats. I think it would be wrong to let the impression go abroad that oats cannot be sold for more than the rate he mentions. I know in my own town, I saw 25 cents per bushel offered for 3,000 bushels the night before I left for Ottawa, and I believe to-day they are worth 23 cents a bushel anywhere in that section of the country. With regard to the frozen wheat, if the proposition came up to make the freight rates lower than they are upon it, I would be inclined to oppose it, because there could be no greater mistake than to send frozen wheat out of that country, or to sell oats at 14 cents per bushel, because, as I have contended many a time, any farmer can make double that amount on it by feeding it to cattle and hogs. I was told to-day at noon that a merchant in Mitchell, Ont., had shipped one car load of hams to Winnipeg at a large price. Now, in that country there are millions of dollars worth of poor wheat that have virtually been given away this year. Many farmers refused $50 a car load for it, and the consequence is they have had to keep it and it is spoiled—they have no stock to eat it. There is no profit in raising wheat to export it for the price that has been offered. When I was coming down the other day, I was told that four car loads of poultry had been brought to Winnipeg to be sold, and yet the people grumble at the Canadian Pacific Railway Company and the Government, when the fault is largely their own. Why do they not raise poultry themselves? The other day the subject of the price of coal oil was discussed in caucus. I have not bought a gallon of coal oil in the North-west myself at less than 40 cents a gallon, but I can get it in Winnipeg for 18 cents a gallon. Now, in that country, when the farmers grumble about the high prices, the merchants are in the habit of blaming the Canadian Pacific Railway, or the tariff for the rates which they have to charge. I unhesitatingly say, and I say it from my place in Parliament, there is no country that I have ever read of, or seen, in which the farmer has such golden prospects ahead of him as in the North-west Territories, even with the rates charged by the Canadian Pacific Railway, and the duties on imported goods. Our grasses are valuable and abundant, and cattle can be raised at very low prices. I want the statement that I am about to make to go to the world, because I have proved it beyond a doubt—I raised nine head of cattle myself for $11 each. That includes every charge for labour, feed, etc. I sold them for $35 apiece. Of the $11 per head that I estimate as their cost to me, only $5 represented money I had to pay out. If people would go into mixed farming and use the straw stacks that, I am sorry to say, are being burned up to-day, they would not have to complain of the Canadian Pacific Railway rates. If they would form a combination and buy their coal oil at 18 cents per gallon, they would not have to pay from 40 to 45 cents for it. In many respects the farmers themselves are to blame for their want of prosperity, because they have confined their operations to raising wheat from year to year, and I say that wheat is not a safe crop every season. Even this year wheat will pay twice over the market price if it is fed to stock; and when farmers learn to diversify their industry they will find it much more profitable, and they will not have to complain of excessive freight rates.

Hon. Mr. MacINNES (Burlington)—I just desire to add a few words to what has been so well said by the hon. the leader of the Opposition, and in reply to the hon. member from Marquette. The financial accounts of the Canadian Pacific Railway Company are published every year and distributed broadcast throughout the country, so that if any one is not informed concerning the financial condition of that railway it is his own fault. It would not be at all surprising if any one were confused as to its financial condition after listening to the speech and extraordinary statements made by the hon. member from Marquette. I wish to say this much with reference to the Canadian Pacific Railway Company. It is their policy and their interest to so conduct their business that farming can be successfully pursued anywhere in the North-west, and the theory upon which the rates applicable to the products of Manitoba and the North-west Territories are framed is to make it possible for farmers wherever located, to grow produce for export to distant markets. That is the policy and the practice of the Canadian Pacific Railway Company. I have been very much amused at some contradictory statements made by the hon. member for Marquette. On a previous occasion, he favoured us with a long array of figures to show that the country is not progressing and the depressed condition of all its interests. He has told us to-day that his valuation of the Canadian Pacific Railway Company's lands is $2 per acre, but that he expects that in a very short time they will be worth $4 per acre.

Hon. Mr. BOULTON—I said that was what they were getting for them.

Hon. Mr. MacINNES (Burlington)—With reference to the Act of last session which has been alluded to, most of you are aware—that when the Canadian Pacific Railway Company some years ago were in a position to require assistance from the Government they did get that assistance and gave the Government security on every mortal thing they had, and one of the conditions imposed by the Government on the company was that they should not increase the capital stock beyond the amount at that time—$65,000,000. That loan, amounting to $30,000,000 has since been repaid to the Government with interest—every penny of it. When it was so repaid the company considered that the condition imposed upon them not to issue any more stock should be done away with, and asked Parliament to be placed in the same position as any other railway company on this continent. I should like if any hon. gentleman can point out a single railway company that is forbidden to issue stock to any extent that the public may take or the shareholders may authorize. I recollect well when the Canadian Pacific Railway Company repaid this loan to the Government how the United States press thought what a simple minded class of people the stockholders of the Canadian Pacific Railway Company were, in paying a debt to the Government. The integrity of its dealings appeared to them so incredible, that they refuse to believe it even to this day—and they are constantly harping on its being such a highly subsidized road. I think that the Canadian Pacific Railway Company's policy and conduct do not require any defence from me or from anybody else, and the best possible thing for the company is that the truth concerning it should be made known to the public everywhere.

Hon. Mr. BOWELL—I presume that, after the discussion, and after stating the fact that no Order in Council has been issued and no application has been made by the Canadian Pacific Railway Company, the hon. gentleman will allow his motion to drop. I would, however, take this opportunity to say that there is a good deal of force in the point raised by the hon. gentleman from York, in reference to the discussion of matters of this kind. No one reading the motion on the paper could conceive that it would lead to a discussion on the management and the freight rates of the Canadian Pacific Railway Company. It is springing a question on the House which they are not prepared to discuss. That is evident from the remarks made by the leader of the Opposition. While he was prepared to discuss the question really involved in the motion—that is, as to the issue of stock and the stock capital of the company—he was not prepared to enter into the minutiæ, as I am sure I was not, of the freight rates on the road. I might add one other word—I think the course pursued by the Canadian Pacific Railway Company in asking for the passing of that Act was not only in accord with correct policy, but was one which any Parliament and any Government would grant, and for this reason: They are constantly extending their operations; they are building branch lines through nearly the whole of the North-west Territories, and it is not to be supposed that they would build those lines out of their individual pockets, or build them out of the profits arising from the working of the Canadian Pacific Railway proper. Hence it would be evidently necessary to obtain power to increase the capital stock to enable them to go on with those extensions. Those who live in that country, and in the east—whose money to a very large extent has been expended in the construction of that road—certainly will agree with the hon. member from Assiniboia when he says that the investment of money in making these branch lines, whether it be to connect with the south or to run to the north, is one which that country at least, and the whole of us, will approve. The success and prosperity of the farmers in the North-west is as much to the interest of the Canadian Pacific Railway Company as it is to every individual living in the country, because the investment which they have made in the construction of these roads would be utterly valueless if there was no freight produced for them to carry. Whether they are charging too much or not I am not going to discuss at present, but from the remarks made by the hon. gentleman from Burlington (Mr. MacInnes), there is no doubt of this fact, that the rates that are being charged by the Canadian Pacific Railway Company where they have no competition, are lower than the rates on American railways similarly situated. I can understand that they would lower the rates from Minnesota, because in carrying flour from that point to the seaboard they have to come into competition, as the leader of the Opposition very properly said, with a number of old established lines running from Minneapolis and St. Paul to Chicago and eastward to the seaboard. So long as the railway companies are free to charge rates, just so long will they make them as high as possible, whether properly or not I do not say.

Hon. Mr. MacINNES (Burlington)—The Canadian Pacific Railway's rates from Minneapolis to the seaboard are quite as low as from Winnipeg to Montreal per mile.

Hon. Mr. BOWELL—I am sure my hon. friend knows better than I do—he has been over the western and south-western railways from the Pacific to this part of Canada—that where those roads have no competition they charge extremely high rates, and it will be a question for the Government hereafter to decide whether a railway commission should be appointed, as has been advocated for some time, the same as exists in England, to regulate rates.

Hon. Mr. POWER—I regret that the hon. gentleman from Shell River put his notice on the paper in the form in which he did. I understood that the hon. gentleman proposed to ask the leader of the Government a question, and consequently I thought that we should simply have a few remarks from him and a reply from the leader of the Government. When I come to examine the notice, I find that, although it begins with a question, it is really a motion for papers. I think it is unfortunate that we had not proper notice, so that we might be prepared to discuss the question. I will call the attention of the Minister of Agriculture to the very serious task which presents itself before him. I understood him to say that he proposed to correct the errors in the census returns which are the work of the Dominion Statistician. I learn now from the hon. gentleman from Ottawa that the *Dominion Statistical Record*, which is an official publication of the Department of Agriculture, and which is prepared by the assistant statistician, is as unreliable as the census returns. I think it is a most unfortunate thing for the country that the impression should get abroad that all our statistics are unreliable. I hope that under the *régime* of the hon. gentleman we shall have nothing of that sort to complain of in future. I do not think any volume should go out with the *imprimatur* of the Government of Canada containing figures which are calculated to mislead, as these statistics have been shown to be.

Hon. Mr. ANGERS—It is evident that the motion of the hon. member from Marquette was improperly drafted, and we have proof of it in the discussion that it has provoked. From this question of the Canadian Pacific Railway Company we have now entered into a discussion of the census and from the census we are led into the book of statistics published by the department. The hon. member for Halifax said that I had undertaken a very arduous task. That may be, but I never said that I intended that the census should be made over again, and I never admitted that there had been any errors in the census from the official source. I said that perhaps people, in recording themselves as to nationalities, had been misled, that they had misunderstood the questions. That is all I said. Now, as to that book of statistics, which represents the capital of the Canadian Pacific Railway Company to be $279,000,000, I do not think that that statement is erroneous. If it was, it would not be there. I will explain what I understand by the $279,000,000; the Canadian Pacific Railway Company have built their road with a given capital; they have acquired other property which had also cost large amounts of money, and when they purchased those roads they put the value of them at the cost. Why should they decrease the value of their property because they purchased it at less than cost? I believe that this amount of $279,000,000 is made up of the cost of the roads and property owned by the Canadian Pacific Railway Company.

Hon. Mr. BOULTON—I pointed out that they purchased the New Brunswick railroad for $15,000,000 and when it was absorbed it was put at $24,000,000.

Hon. Mr. ANGERS—I say they may have bought roads cheaper than the cost, but in making up their inventory they were not bound to put the value at less than the original cost.

Hon. Mr. BOULTON—The question having been answered, I ask permission to withdraw my motion.

The motion was withdrawn.

The Senate adjourned at 6.05 p.m.

THE SENATE.

Ottawa, Tuesday, February 7th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THE BALFOUR DIVORCE BILL.

FIRST READING.

Hon. Mr. GOWAN, from the Select Committee on Divorce, to whom was referred the petition of James Balfour for relief, presented their fourth report and moved its adoption. He said: All the papers in this case are regular and complete. The notices were given in the *Canada Gazette* and in the local paper, and the service was personal.

The motion was agreed to.

Hon. Mr. CLEMOW introduced Bill (D) "An Act for the relief of James Balfour."

The Bill was read the first time.

THE DORAN DIVORCE BILL.

FIRST READING.

Hon. Mr. GOWAN, from the Select Committee on Divorce, to whom was referred the petition of James Frederick Doran for relief, presented their fifth report and moved its adoption. He said: In this case the committee found all the notices published as required and the service sufficient, as proved before the British Vice-Consul in Paris, where the respondent is now living under an assumed name—a French name. The committee have made a special recommendation, with a view to prevent the possibility of the case lying over. They have recommended that the telegram of the British Vice-Consul or Consul in Paris be received as sufficient for the second reading of the Bill, but that the evidence is to remain over and the committee are to await the regular papers proving the service in the usual manner, the object being merely to facilitate the reference to the committee after the second reading.

The motion was agreed to.

Hon. Mr. CLEMOW introduced Bill (E) "An Act for the relief of James Frederick Doran."

The Bill was read the first time.

THE DIVORCE RULES.

MOTION.

Hon. Mr. GOWAN, from the Select Committee on Divorce, presented their sixth report, recommending the purchase of twelve copies of Gemmill's "Practice of the Parliament of Canada upon Bills of Divorce" and moved its adoption. He said: The edition of the rules published some time ago has been exhausted, and there is not sufficient to supply the Committee. To have the rules specially printed would involve a good deal of expense, and it occurred to the Committee that they could get the rules in printed form in this treatise, with the additional advantage of having before them a note of all the cases that have been before Parliament from the very first, and notes and comments that cannot fail to be of value to the Committee.

The motion was agreed to.

BILL INTRODUCED.

Bill (F) "An Act to amend the Act respecting the Nova Scotia Permanent Benefit Building Society and Saving Fund" (Mr. Almon.)

QUARANTINE STATION IN BRITISH COLUMBIA.

MOTION.

Hon. Mr. McINNES moved:

That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will cause to be laid before this House, copies of all letters, communications and telegrams between the Minister of Agriculture, or any official under him, or any other Minister or official of the Dominion Government, and the Government of British Columbia or any official thereof, the British Columbia Board of Trade, and the local Dominion Engineer, relating to the erection of a proper quarantine station at Albert Head or William Head, British Columbia.

The motion was agreed to.

AN ADJOURNMENT.

MOTION.

Hon. Mr. BELLEROSE moved:

That when the House adjourns to-day it do stand adjourned until Monday, the 27th instant, at eight o'clock in the evening.

Hon. Mr. KAULBACH—I do not suppose that my hon. friend is serious in expecting this House to adjourn for that length of time. When the hon. gentleman asks for an adjournment he generally expects it to be for about half the time called for by his motion, and I suppose that is the case in the present instance. Of course the Government will be consulted with regard to the state of the public business, and whether the adjournment will interfere in any way with it. I generally oppose adjournments in this House, yet if the Government think that the private interests of parties will not suffer, and that the public business will not be impeded, I make no objection. For my part, I think this is the proper place to be during the sitting of Parliament. I was under the impression that the Government were intending to make a new departure in the mode of procedure in the other House, and that business would be sent in to us so that there would be no delay. I thought that this House would have a share of the public business. We were delayed last year with the Criminal Code, which many of us opposed as coming up too late in the session, and it was with great reluctance that we passed that measure. We have a leading member of the bar in this House—the Minister of

Agriculture—and I think he should be able this year to give us the revision of the Criminal Code. I do not see why, with my hon. friend at the head of the House, we could not have that Bill or some other Bill during the session. I do hope that the Government will not agree to this long adjournment, which certainly must be prejudicial to the House. Last year, when we had our first adjournment, we were promised that that would be the only one, but we had other adjournments. There will be a holiday next week—Wednesday, 15th—and I move in amendment that when the House adjourns, if the Government considers that it can adjourn at all, that it stand adjourned until the 16th instant.

Hon. Mr. VIDAL—It has been the invariable custom in this House, and a custom from which I think it would be unwise to depart, that before we enter upon a discussion of this question, we should have from the members representing the Government of the country an intimation as to whether the public business would be at all incommoded or delayed by the proposed adjournment. Very often the leader of the House has left it to the Senate to decide the length of the adjournment; but invariably we have first ascertained, before entering into a discussion, that the adjournment might be taken without injury to the public interest.

Hon. Mr. BOWELL—I was about to rise when the motion was first proposed by its mover, but other gentlemen, who were a little more active than I was, secured the floor. Those who know me understand my excessive modesty; I did not like to interfere. I was about to say that I had consulted the leader of the Government and that he saw no inconvenience in an adjournment of ten or twelve days, for the reason that the time of the Commons has been occupied to a very great extent since the opening of Parliament in discussing the Estimates. You are all aware that it requires some time, and delays will take place, before the bills can be properly put before the House of Commons. I hope in the future that the intimation thrown out by the hon. member for Lunenburg may be carried into practical operation; at any rate, it will be my endeavour—and I know that it is the endeavour of my colleagues—to to see in future sessions that this House is furnished with a certain proportion of the legislation that is to take place. It will require the adoption of some rules, of course, by which those who desire legislation on particular questions may have their Bills initiated in either one House or the other. At present, it is at the option of any company or any gentleman desiring the passage of a Bill affecting any interest of the company with which he is connected, to select the House in which it shall be introduced; and so far as the Government are at present concerned, they could only have direct control over the Government measures. I have been promised, as I intimated the other day, some few of those measures, and I hope to be able to lay them before the House at the very earliest possible moment after the adjournment. I think, however, that the length of time asked for by the hon. gentleman for the adjournment is too long. Our impression was that Monday, the 20th, would be quite long enough; but others have intimated that it would be difficult for them to reach here on Monday, unless they travelled or left home on Sunday; so that it would be better to say Tuesday, the 21st. By that time I hope that the business of the other House will be sufficiently advanced to enable us to proceed here.

Hon. Mr. BELLEROSE—If the House will allow me I will say Tuesday, the 21st instant, at 8 o'clock in the evening.

The motion, as amended, was agreed to.

The Senate adjourned at 4 o'clock.

THE SENATE.

Ottawa, Tuesday, February 21st, 1893.

The SPEAKER took the Chair at 8 p.m.

Prayers and routine proceedings.

THE SMALL-POX EPIDEMIC IN BRITISH COLUMBIA.

MOTION.

Hon. Mr. McINNES (B.C.) moved:

> That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will cause to be laid before this House, copies of all letters, communications and telegrams between the Minister of Agriculture, any official under him, or any other Minister or

official of the Dominion Government, and the Canadian Pacific Railway Company, the British Columbia Government, the Mayors of the cities of Victoria and Vancouver, the Dominion health officers of the ports of Victoria and Vancouver, relating to the introduction of small-pox into Victoria and Vancouver in May and June, 1892, by the mail steamers from Japan and China.

He said : I do not propose to make any remarks on this subject until the papers are brought down.

The motion was agreed to.

MANUFACTURING INDUSTRIES IN CANADA.

MOTION.

Hon. Mr. McMILLAN moved:

That an humble Address be presented to His Excellency the Governor-General ; praying that His Excellency will cause to be laid before this House, a list, as nearly as can be obtained, of all the manufactories in operation in Canada, with the number of operatives employed, together with the amount paid for wages for the years 1878 and 1891 respectively.

Hon. Mr. POWER—I should like to call the hon. gentleman's attention to the fact that his motion is likely to involve a great deal of trouble and considerable expense.

Hon. Mr. ANGERS—The information cannot be furnished.

Hon. Mr. POWER—I was about to say that it could not be done. I would suggest to the hon. gentleman that he should substitute 1881 for 1878 in his motion, and then there might be an opportunity to make an approximate comparison, but it would be almost impossible to get the returns for 1878.

Hon. Mr. ANGERS—I was about to make the suggestion that the hon. gentleman should amend his motion, and make it read "1881 and 1891, respectively." There are no records for 1878 and consequently we should have to take the returns for the year 1881.

Hon. Mr. McMILLAN—I have no objection to amending the Address. I took 1878 because it was the year immediately preceding the adoption of the National Policy. I have taken care to say in the motion "as nearly as can be obtained." I am willing to have it changed from 1878 to 1881.

The motion was amended accordingly and adopted as amended.

TARIFF CHANGES SINCE 1879.

MOTION.

Hon. Mr. McMILLAN moved :

That an humble Address be presented to His Excellency the Governor-General ; praying that His Excellency will cause to be laid before this House, a copy of all the changes that have been made in the tariff since the National Policy became law in 1879, giving the name of each article, showing the original duty imposed thereon, the amount of increase or reduction subsequently made, or placed upon the free list, together with the date of all such alterations in the tariff.

The motion was agreed to.

BILLS INTRODUCED.

Bill (H) "An Act to amend the law relating to holidays."—(Mr. Angers.)

Bill (I) "An Act to correct a clerical error in the Bank Act."—(Mr. Angers.)

MILITIA LAND GRANTS IN THE NORTH-WEST BILL.

FIRST READING.

Hon. Mr. BOWELL presented Bill (G) "An Act to make further provision respecting grants of land to members of the militia force in active service in the North-west." He said :—I may mention that the object of this Bill is simply to extend the time, which expired at the close of last year, for the issuing of land grants to those who have obtained the proper scrip and have not yet located.

The Bill was read the first time.

The Senate adjourned at 8.30 p.m.

THE SENATE.

Ottawa, Wednesday, February 22nd, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayer and routine proceedings.

SECOND READINGS.

Bill (D) "An Act for the relief of James Balfour." (Mr. Clemow.)

Bill (A) " An Act for the relief of Edmund Holyoake Heward." (Mr. Clemow.)

Bill (B) " An Act for the relief of Robert Young Hebden." (Mr. Clemow.)

Bill (C) " An Act for the relief of Martha Ballantyne." (Mr. Clemow.)

NOVA SCOTIA BUILDING SOCIETY.

SECOND READING.

Hon. Mr. ALMON moved the second reading of Bill (F) " An Act to amend ' An Act respecting the Nova Scotia Permanent Benefit Building Society and Savings Bank Fund.' "

He said : The Nova Scotia Building Society had a charter from the Nova Scotia Government forty-three years ago, during which time I have been one of the trustees. We had a charter about two years ago from the Dominion Government and these charters appear to conflict with one another. This Bill is to make the two charters more in unison and for other purposes. I think, however, that that matter will be discussed more fully when the Bill comes before the Committee on Banking and Commerce. I move, seconded by the senior member for Halifax, that this Bill be read a second time.

Hon. Mr. KAULBACH—The hon. gentleman from Halifax does not think it wise to explain the Bill fully. I hope it is not to wipe out the mortgagors in a quiet way.

Hon. Mr. BOWELL—There is no objection to the second reading of this Bill being passed, but there are amendments I think it would be necessary for the hon. gentleman to suggest when it goes before the Committee on Banking and Commerce. The proposition in this Bill is to change and amend the law passed in 1887 by the Parliament of Canada at the request, and at the instance of the society itself, and at that time the principle was laid down in the General Incorporations Act, of limiting the time for the sale of property which may come into their hands to seven years ; this Bill asks that it be changed to twelve years, and it also asks that, in case the property is not sold by that time, it should revert to and be vested in the Crown, instead of, as is provided in the General Incorporations Act, that it shall revert to and be vested in the original owners ; why that change is made I am not at the present moment able to explain. That will be explained, I presume, by the hon. gentleman when it goes before the committee. It is also proposed in this Bill to exempt from the limit of time, the sale of property which has come into the hands of the society, which was acquired prior to the passing of the Dominion Bill ; so that they could, if this becomes law as it is introduced, hold the property which they may have acquired prior to that time for ever. I simply make these explanations because it may be necessary, when it comes before the Committee, to so amend the Bill as to make it in accord with the General Act which governs all societies of this kind, unless this building society can show good and sufficient reasons why they should be exempt from its operations.

Hon. Mr. ALMON—I think the hon. leader of this House should have made himself better acquainted with the facts before making such statements. I think it is very unfair to bring it before the House at this time. The proper time, to my mind, to discuss it will be when it is before the committee. The hon. gentleman has made a remark which I think no lawyer in this House can concur in, that the Act which was passed by the Dominion Government had a retrospective effect. By the charter under which this society acted for over forty years, they had the right to keep the land in their possession as long as they liked and to sell when they thought it was in their interest to do so ; the hon. gentleman's statements will conflict with the opinions of all the lawyers whom I have heard speak about it, except one or two pettifoggers (who wish to get lawsuits, and who live on exacting money from corporations), who have agreed with the hon. leader of this House, but I do not think any sound lawyer would ever say such a thing.

Hon. Mr. BOWELL—I think my hon. friend has misunderstood altogether what I said. I gave no opinion upon the point of law, either directly or indirectly. I merely pointed out what the provisions of the law were, and showed, if passed, what the effect would be. I know nothing about the law, and it would be presumption on my part to attempt to give an opinion upon a point of law. I have consulted the Minister of Justice on this point and know what his opinion is, but I do not desire to express it here. Perhaps I should have said that in the last clause of the Bill it provided for the retention of that property, or that they wanted to have it so explicit that the pettifogging lawyers to whom my hon. friend refers could not by any possibility take advantage of it and thereby create litigation to the disadvantage of the society, but I assure the hon. gentlemen I gave no opinion whatever; but as the question was asked as to the effect of this Bill, and as the rules of this House, as I have read them, say that the principle of a Bill is affirmed on its second reading, I do not think I was out of order or in any way out of place when I stated the character of the Bill to the House.

Hon. Mr. DICKEY—I was rather surprised at the fault found with the action of the leader of this House, because from the very outset of our proceedings, and during the whole time I have been in the Senate, I know it has always been the practice, where any objection or any suggested amendment was to be made to a Private Bill like this, the proper time to make it was before it went to the Committee in order that the Committee might inquire into it. That has been found a very convenient practice; at all events, it has been the practice. I do not at present say whether I shall object to the Bill or not, because we are unfortunately placed in a position at present of not knowing what the Bill contains. It is getting a step by the courtesy of the House, contrary to the rules, in being read the second time without the members of this House knowing what the Bill contains, and it is therefore the more necessary that the leader of this House should, in his capacity as such, bring before this House any suggestions he may think proper to be considered by the Committee. Therefore, I have no sympathy with the attack that has been made upon the Minister for his action, but the contrary, although I come from Nova Scotia, from the broad acres over which this building society, I am sorry to say, in a great many cases, has had jurisdiction.

Hon. Mr. POWER—I think the hon. gentleman from Amherst was slightly in error in stating that the Bill was being passed by the courtesy of the House. I fail to see that there is any unusual courtesy extended to the Bill, because it has been printed and distributed in the usual way.

Hon. Mr. DICKEY—I have not seen it.

Hon. Mr. POWER—I am sorry for that, but it does not alter the fact. Now, I do not agree with what was said by my hon. colleague with respect to the course taken by the hon. leader of the House. I think the course was perfectly sound, and just the right course to take, because the hon. leader of the House, by the course he adopted, gave my hon. colleague and any other gentleman interested in the passing of the Bill, notice that amendments would be offered in Committee, and it is much better that my hon. colleague should have this notice than that he should be taken by surprise when the Bill came up for consideration before the Committee on Banking and Commerce. I think my hon. colleague was under the impression that the hon. leader of the House was manifesting a spirit of hostility to the Bill; I did not so understand it. The course taken by the leader of the House is the usual and proper one. At the same time, the observations made by the hon. leader of the House might, unless there was some little explanation given of the peculiar position of the Association which asks for this Bill, perhaps lead to a misapprehension of the exact position of affairs. The 11th section of the Act of 1887, which this Bill proposes to amend, was not asked for by the promoters of the Act of 1887. This 11th section was inserted in the Bill in Parliament here, and it was done, I think, at the instance of gentlemen who were more familiar with the loan societies of Ontario than with the Nova Scotia Benefit Building Society, and that is one point that should be borne in mind. It would look unreasonable that the Nova Scotia Benefit Building Society should come here and ask that the legislation which they secured in 1887 should be amended to-day. That is not the fact. They ask that a section, which was inserted in the Act without their request, should be amended so as not to do them serious mischief; I do not think there is anything unreasonable or improper in the mere fact of their coming here for that purpose. The hon. gentlemen of the committee might bear this in mind; as I understand, in the province of Ontario the loan societies take possession of the lands on which they hold a lien without any suit. In Nova Scotia, the Nova Scotia Permanent Benefit Building Society do not do that; they acquire possession of the land after a regular suit in equity and a judicial sale by the sheriff; and under the law of Nova Scotia that judicial sale by the sheriff gives the purchaser a perfectly good and valid title, and consequently the society, the mortgagees, under our Nova Scotia law, have the same right to buy in the market as any other persons, and under our law if there is no flaw in the title previous to the mortgage, the sale by the sheriff vests a perfectly good and absolute title in the purchaser. The hon. gentlemen of the committee require, I think, to bear that fact in mind. It places the lands acquired by this society in a different position from lands acquired by the loan societies of Ontario. The details of the matter, of course, can be very much better discussed in Committee here; but I think it is only fair to my hon. colleague and the promoters of the Bill to say a few words in explanation.

Hon. Mr. VIDAL—The discussion shows the propriety of attention having been called to this matter by the leader of the House. It must be admitted by the hon. members that it is the bounden duty of the leader of the House to keep his eye on all legislation here; and if there is anything in any Bill introduced here which requires careful attention on the part of this House and careful investigation, he would be derelict in his duty if he did not call attention to it before the Bill went to the Committee. So far from being liable to censure for doing so, he has simply discharged a duty devolving upon him, neglect of which would expose him to censure. I think the remarks of my hon. friend from Amherst are scarcely fair. When he spoke of the courtesy of the House he was quite aware that the Bill had been printed.

Hon. Mr. DICKEY—No.

Hon. Mr. VIDAL—Is it not an admitted fact that when a Bill is presented to this House a second time, if there is any leading feature requiring explanation, the hon. member introducing that Bill gives the House an explanation of the changes, and makes it clear and distinct? Then the principle of the Bill is either accepted or rejected by the Bill being passed or thrown out. I think nothing at all out of the way was said when it was mentioned that the courtesy of the House was being extended in allowing this Bill to go to second reading without any particular explanation of it.

The motion was agreed to, and the Bill was read a second time.

THE PRINTING OF BILLS.

Hon. Mr. BOWELL moved the adjournment of the House, and in doing so said: I have a suggestion to make which I think will be valuable if adopted. It is that after each Bill in the Orders of the Day there should be something to indicate whether it has been printed. That is the system that is pursued in the House of Commons. If a Bill is printed in English only, there is a letter E after it; if in French, the letter F; if in both languages, E-F; if in neither language, no letter appears. When an order is called, if neither letter appears the member who has it in charge simply says, "not printed," and it stands as a matter of course. If this suggestion meets with the approval of the House, I think it will be found to be a great convenience.

Hon. Mr. McKAY—I think the suggestion would not result in convenience at all times. For instance, sometimes Bills are not distributed until after the Orders of the Day are printed, and in such cases they would have to lie over.

Hon. Mr. VIDAL—That might be a strong reason for delaying the reading of the Bill.

Hon. Mr. BOWELL—I am not so familiar with the practice of the House in this particular as other members are, but I know in the House of Commons a Bill cannot be proceeded with, unless it has been printed, without the consent of the House. In some instances where a Bill is not of any importance it is just laid on the Table of the House, and with the consent of the House, proceeded with. I make this suggestion with a view to preventing disputes as to whether a Bill has been printed or not.

The motion was agreed to, and the Senate adjourned at 4.05 p.m.

THE SENATE.

Ottawa, Thursday, February 23rd, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (J) "An Act for the relief of John Francis Schwaller." (Mr. Clemow.)

Bill (K) "An Act for the relief of Annette Marion Goff. (Mr. Clemow.)

THE PROHIBITION COMMISSION.

MOTION.

Hon. Mr. VIDAL moved:

That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will cause to be laid before this House:

1. A copy of the commission appointing and constituting certain persons a Royal Commission to obtain reliable data respecting the operation and effects of legislative prohibition of the traffic in intoxicating liquors.

2. Also, a copy of any and all instructions given for the guidance of the said Royal Commission by or under the authority of the Government.

3. Also, copies of any and all documents and statistics furnished to the said Royal Commission, by any of the Departments of the Civil Service, or any officer of the Government, embodying information or suggestions in relation to the subjects which the said Royal Commission was appointed to examine and report upon.

He said:—In proposing, for your adoption, the motion for the Address which we have on our minutes, I think it desirable to explain why I ask for the information in this public and official manner. Of course, I could have gone personally to the different departments and obtained all the information which I require, did I need this information for my own satisfaction. It is not, however, for my own personal satisfaction that I make the inquiry: it is in order that the answer which will be given to these inquiries may have an official stamp, and may, therefore, be recognized as having due authority by the wide circle of persons interested in the great cause of prohibition. It will, of course, be understood that while it is rather on behalf of others than for myself that I move for this information, I do not assume to have any authority whatever to act for or on behalf of any other individual or body. I alone am responsible for any statements that I may make, any opinion I may give, or any argument I may present to the House. I should like that to be clearly and distinctly understood. It is obvious that unless I proceed in this way, any information which I might obtain personally and convey to my friends, would lack that stamp of authority which alone gives it value to those who are disposed not to receive very freely and trustfully any such answer as I might be able to make to them. Various opinions have, of course, been entertained by the friends and opponents of the Government, with respect to the course that has been pursued in this matter. It is partly with the view of removing wrong impressions which I know to prevail, that I seek the inquiry in this formal manner, and partly also to obtain information which I desire for my own personal use with respect to the matter which comprises the third paragraph of the Address which I propose shall be sent. Of course my request must not be considered by hon. gentlemen as indicating any want of confidence in the Royal Commission which has been appointed, or in the result which may be obtained by their investigation. I am fully aware that such a course would be exceedingly improper and unfair. We must wait until we receive the final report of that commission before we can with any propriety pass judgment upon the course pursued or the results attained by them; but while I think that they should be exempt from any censure, or any harsh or unjustifiable remarks, I think at the same time that there is nothing improper or unjust in my making observations or comments upon what has appeared in the public newspapers with respect to the course which they have pursued, the inquiries which they have made, the persons they have had before them to give evidence, and the character of that evidence. These things, I think, are fairly subjects of comment; and I may add that in making some of the remarks which I purpose to offer, I think my doing so is in the interests of that Royal Commission and may prevent them from doing what, in my judgment, would be an erroneous act, one not contemplated by the authority which called them into being, and which would not fulfil the end for which Parliament asked that the commission should be appointed; so that it is not in a spirit of fault-finding or in opposition to the Commission that I make any remarks, though some of them may seem to imply censure on their proceedings. Hon. gentlemen will probably remember that when the House of Commons in 1891 passed the resolution suggesting the propriety and necessity of the appointment of this Royal Commission, I ventured from my place in the House to express my satisfaction with the step which had been taken, although I well knew that on the part of a large number of those associated with me as fellow-workers in the great cause of prohibition, a very different view was likely to be entertained. Now it would be well, I think, in order to refresh our memory with reference to this, that I should occupy the time of the House for a few minutes in reading the resolution which was adopted. It brings the question before us in its primitive condition and in its great simplicity. The resolution reads :—

> In the opinion of this House it is desirable without delay to obtain for the information and consideration of Parliament by means of a Royal Commission, the fullest and most reliable data possible respecting ;
>
> 1. The effects of the liquor traffic upon all interests affected by it in Canada ;
> 2. The measures which have been adopted in this and other countries with a view to lessen, regulate or prohibit the traffic ;
> 3. The results of these measures in each case ;
> 4. The effect that the enactment of a Prohibitory Liquor Law in Canada would have in respect of social conditions, agricultural business, industrial and commercial interests, of the revenue requirements of municipalities, provinces, and the Dominion, and also as to its capability of efficient enforcement ;
> 5. All other information bearing on the question of prohibition.

Now, I took occasion when the subject of prohibition was before the House in connection with the appointment of a committee of this House to look into the petitions which had been presented, among other observations to make these remarks upon this particular matter : "Of course I have no authority to speak for any one but myself, but personally I have no hesitation in saying that I think the action taken in the other House has been the greatest step forward that has been taken for the cause of prohibition for many years. My opinion is that the appointment of this Royal Commission is really an acceding to some extent to the request of the petitioners for the enactment of a prohibitory law, as far as can be done at present. It appears to me to be a desirable and necessary step that Parliament should be furnished with reliable and authentic information on the matter, in order to act intelligently. Then it must be remembered that the framing of an act of this kind, making such important changes, particularly in the revenues of the provinces, as well as the revenues of the Dominion, should be done with care, and with an accurate and full knowledge of the results of such legislation where similar enactments have been passed in other countries. Therefore in my humble judgment the action which has been taken instead of being looked upon as an attempt to burke the question, should be regarded as a necessary step, taken honestly, in the advance, and for the promotion of the interests of the country in this direction." Those were my sentiments at the time that was passed—sentiments for which I was called to account by a great many of my co-workers ; but most of them were subsequently satisfied with the explanation I was able to give them. Now, I still adhere to the views which I expressed on that occasion, although I must confess that a considerable measure of disappointment has been felt by me as I have carefully watched the proceedings which have been taken by the commission, and the character of the evidence which they have collected. It is quite true that some of this evidence is exceedingly valuable, and the kind of evidence which they were appointed to collect; but I venture to think that the larger part of it is, and the greater part of their time has been wasted in obtaining, what Parliament did not require, and which under the instructions in the commission from Parliament, they need not have troubled themselves about, as they have done. A very large amount of labour has been expended in the collecting of people's opinions. Now, I do not understand that Parliament desired the collection of opinions of anybody on these matters. My idea is, that Parliament, in authorizing that commission, intended that they should gather facts upon which Parliament should found its opinion. Now as a matter of fact, if any of you have followed up—I have no doubt many of you have—the examinations which have taken place, you must have seen what appears to me to be a very absurd proceeding with reference to the obtaining of these opinions. For instance you find persons engaged in the liquor traffic called in and asked very solemnly and very carefully if they think a prohibitory law would be better than the license system. You find them asked their opinion if a prohibitory law could be enforced, and questions of this kind. Of course, it is perfectly absurd to ask such questions of such people. You might just as well ask a wolf if the fold was any protection of the lambs of a flock. And I find a very large proportion of the time of the commission has been taken up in collecting these opinions. It is with this object, in order that I may see whether the intention of Parliament was rightly apprehended and carried out by the commission and instructions issued for their guidance, that I ask in the Address that information shall be given by furnishing us with a copy of the commission, in order that we may see that that commission in its terms corresponds with the resolution which was passed by the House of Parliament, and further, a copy of any and all instructions given for the guidance of the commission in order that we may see that those instructions were in harmony with the objects sought to be obtained by the appointment of the commission. I have not in my own mind any doubts in this matter, but I have heard on all sides, from people not friendly inclined towards the Government, strong suspicions and doubts as to whether the intentions of Parliament had been fairly carried out. Now those instructions given to this commission will be furnished, and I am satisfied in my own mind, although I have not seen them, that they will harmonize with the views of Parliament in having the commission appointed to obtain the information. It is quite true the general terms used in that resolution will cover a great deal of evidence which has been collected and which is, in my judgment, unnecessary. There has been a great loss of time and expense in having it all taken down by shorthand writers, which will be increased by having it all printed, as I suppose it will be, and forming a very voluminous report; and while I believe and know that amongst all this information are some very important and very valuable facts, calculated to guide us in our deliberations upon this great and important question, I feel at present rather alarmed at the amount of difficulty we shall experience in getting at these jewels. I am afraid they will be so deeply buried by the rubbish which surrounds them, that it will take a good deal of patience and time to arrive at the discovery of the important facts which we have to act upon. Whether it will be possible in the future examination which will take place by the commission to reduce this kind of gathering of opinions, I know not; perhaps after hearing the remarks made by myself and others on the point, it may have the effect of lessening this evil. It is admittedly an evil that time and money should be spent in the collecting of opinions which are of no value whatever. I admit fully and frankly that some opinions are exceedingly valuable: they are worth obtaining, and they are reliable. I refer, for instance, to the opinions of judges, I would consider their opinions of very great weight—men of experience in dealing with the criminal class, can form reliable opinions. I would think the opinions of keepers of lunatic asylums and keepers of jails or of penitentiaries useful, for they would be capable of forming opinions which might be of value, but the idea of summoning interested persons and asking opinions as to whether such a law could be enforced appears to me to be manifestly absurd. The very idea of asking in a land like ours with a law-abiding people, whether a law of the Dominion can be enforced appears to me to be very foolish. Any law of our country can be enforced and generally contains within itself provisions for its enforcement, so I consider that time is entirely lost in asking questions of that kind. I notice also questions about compensation. That is a very important question in the minds of some, but at the same time hon. gentlemen will see that the question of the prohibition of the liquor traffic and the question of compensation being given to those whose business may be destroyed by the prohibition, are two totally distinct questions. There is no necessity whatever for their being taken into consideration at the same time or for the one having any influence on the other. If the preservation and promotion of the peace, happiness and well-being of our people demands of us that we should have a prohibitory law, then after it is passed we may very safely and very wisely decide what compensation, if any, should be given to those whose business has been interfered with. First settle the question of prohibition on its merits, and then on its merits take up the question, if any compensation be due to any body, to whom and how much. The Parliament of Canada may be safely relied upon if a man's vested interests are encroached upon in any way for the public good, to compensate him if reasonable proof can be adduced that such compensation should be granted. The present is not the time to discuss such a question, but I venture to make the remark that when the question of compensation comes to be decided it must be remembered that there are two sides to the question. I am strongly of the opinion that the compensation should be all the other way—that it should come out of the pockets of those who through the liquor traffic have been enabled to roll in wealth and enjoy the largest amount of luxury and ease at the expense of the poor people whose want of bread and clothing has contributed to that wealth. There is room for argument as to which side should have compensation, and it will be quite time to discuss that question when the first and primary question is decided, shall the country have a prohibitory liquor law? I am not at this time, of course, going into the general question of prohibition; my object is simply to obtain the information which I desire. There is another point to which I have not yet referred, and that is embodied in the third clause of my request asking for a copy of all the documents. My reason for making this request is that on reading the proceedings that have taken place, I notice one of the commissioners stated that he had an official document. He was questioning a witness, and on receiving an answer, he remarked that it was not consistent with the information contained in an official document, some table of statistics by which he was trying the evidence that had been given him. If such a document has been furnished to that commission, it is only fair and right that we who are interested in it should have some knowledge of it—that it should be a public document to which we should have access as well as the commissioners, in order that we may ascertain its character and see that it is fair and just. Now, with reference to the *personnel* of the commission I have not a word to say against any of them. Those of them whom I know, I have great confidence in and esteem very highly; at the same time, with reference to the appointment of commissioners, I understood, and I believe it was the real meaning of the Government, that we should have what might be called a fair commission. I understood that there would be two representatives at least, of those who are known to be friendly to prohibition, two of those who are known to be adverse to it, and the third should be as impartial a man as could be got—a man of business. I understood that that was to be the character of the commission. Now, in watching the proceedings, I have come to the conclusion, by considering the questions asked and remarks made, and I do not think it is a conclusion which can be gainsaid, that four of the five are anti-prohibitionists and what sort of a report we are likely to get I do not know—I will not judge it until I see it. All the commissioners are unquestionably upright and honourable men, and will no doubt give us the facts as they received them. It is remarkable that no advocate of prohibition, so far as I know, was asked at all what his opinion was of these commissioners before they were appointed. I do not like to thrust myself forward or make any claims whatever, but it struck me that it would have been a very natural thing indeed, when it was known, throughout the country, known to Parliament and the Government that I was president of the Dominion Alliance, an association that has been in existence for eighteen or twenty year for the purpose of obtaining this prohibition, and which it is well known, is a representative body of the temperance element throughout the whole Dominion, representing churches, temperance societies and all organizations taking an interest in this great work—under these circumstances I think mere courtesy and a desire to do a fair thing would have suggested that the names of the commissioners should have been submitted to me or some other representative of the temperance people, simply to learn that no valid objection was made to them. Consequently, the prohibitionists are not in any way responsible for the work that has been done, whether it is well or ill done—we are entirely free from that. I am of opinion that great good will result from it. My only fear is that it will involve a great deal of expense to the country. If it is considered necessary to publish all the evidence that has been collected it will make a huge volume and I doubt if any one will have the time or patience to go through it. Some of us will read and select portions of it. Some of it, I know, is exceedingly valuable and important. I have not read the whole of it, but I have read it very largely and in my opinion the great weight of evidence is rather favourable to the view that I entertain than opposed to it, notwithstanding the curious questions which have been sometimes put, and notwithstanding that I think either the commission has misapprehended the requirement of Parliament or that the commission itself and the instructions given have not been sufficiently clear to make them understand what it was desired should be obtained, namely, reliable data upon which final action might be taken by Parliament. I shall not further trespass on the time of the House, but now move the Address as it is printed in the Minutes.

Hon. Mr. GOWAN—I wish to say a word or two in respect to what has fallen from my hon. friend beside me, with whom I am usually in entire accord. I am in full sympathy with the earnest workers in the cause of temperance all over Canada and having said that, it is as far as I can go in respect to the present object that they aim at. I heard what my hon. friend said about the objections to taking individual opinions as to the propriety of passing such a law. For my part, I differ from my hon. friend who has so zealously, earnestly and for years advocated the cause of temperance and prohibition—I am sorry to differ from him, but I may say I entirely disagree with the position that it is not proper to ascertain the drift of public opinion with regard to any measure that is intended to be followed by an enactment. We all know, looking at the history of every movement touching the habits and manners of the people, that unless it is in accord with public opinion it must necessarily fall to the ground. I myself have had a good deal of judicial experience in respect to the temperance question and prosecutions under existing laws, and have often been painfully struck with the manner in which witnesses gave their evidence—men of undoubted general veracity, of good character and good standing in society, willing and anxious to avoid a conviction, and to evade any question that would bear against a person charged with violating the law. That struck me, and I have had a pretty large experience on the subject, as a very significant point and confirmed my view that any legislation in advance of public opinion is worse than useless. It is worse than useless in this particular, for if you teach men to violate a plain law with impunity, you weaken respect for laws in general, and thus to a large extent paralyze the arm of the law, for when men begin to violate one law and soothe their consciences, they gradually teach other men to do the same thing who are less scrupulous than they are, and you encourage men to the commission of what is plainly and palpably a crime. If we look at the history of legislation in respect to matters pertaining to morals and manners, what do we find? We know that on the statute-book ever since the reign of James, I think, there was an enactment authorizing a fine to be imposed upon any one who used a profane oath, and if we look at the history of the times, particularly the time of the Regent, men were not considered fashionable, or to come up to the mark as young bloods, or society men, unless they could indulge in some new and strange oath. That law, therefore, was for many years violated with impunity. At one time it fell into almost entire disuse, and no one thought of prosecuting under it. Let us look at another law—one that my hon. friend the leader of the House would be most anxious to have fully obeyed—the law with regard to customs and smuggling. Every one acquainted with the history of the people of Europe knows that there was a time when it was not thought any crime, or infringing at all upon morals, if people did a little in the way of smuggling, and my lord in his mansion and the poor fisherman on the seashore all smuggled. My lord smuggled his wines from France and my lady smuggled her laces, without in the slightest degree feeling that it touched their conscience, while the poor man was glad to get his gin, his rum, and other things that lay in his way, and more suited his tastes, in the same manner. Therefore, that law, until very recent years, notwithstanding the severity of the enactment then on the statute-book, was not observed, and therefore an injury was done to the law in general, because it was violated with impunity and without any feeling of self-reproach —without any feeling that the offender's conscience was wounded. Then let us come to a later period. You all know that from the earliest times by the common law killing was murder, in case of a duel, and we know that until a comparatively recent period—up to the time of the Duke of Wellington, certainly—men dare not refuse, so strong was public opinion, to meet their adversaries when challenged. Now, there was a law in force touching life, and yet it was violated with impunity. If everything was done according to the law of the duello, no jury could be got to convict any one who killed his adversary in "a fair fight." So strong was that feeling that, if my memory serves me, in a case where it was proved that the code had been strictly observed and the prisoner had killed his adversary after the most approved manner and method of the duel, the judge (who had "been out" more than once himself) when he came to charge the jury said "Gentlemen of the jury, if you believe so and so I am bound to tell you that according to the laws of England the offence amounts to murder, but so help me—gentlemen, a fairer thing I never heard of." You can easily understand how a jury would act under circumstances of that kind. That is the teaching of history—and history ought not to be like the stern lights of a ship illuming only the track that is past, but should guide us in the future. I have long been strongly of the opinion that any law in advance of public opinion will not be obeyed, and therefore I am sorry to differ from my earnest and hon. friend beside me. I do not at all agree with him that the commission erred in getting opinions from intelligent men in all quarters. According to my opinion, that portion of the inquiry was a necessary and most desirable one, and any one who reflects on the subject will see the danger of putting a law on the statute-book that will not be obeyed. How are we to ascertain whether the law will be obeyed or not unless we collect evidence to show public opinion on the subject? There are various ways of collecting public opinion—you can get it from the newspapers, or from talking with people, or from examining witnesses as was done by this commission, and you can ascertain pretty much the drift of public opinion by the extent and work of the various organizations in a particular direction. These are amongst the sources from which the drift of public opinion can be ascertained. Therefore, on that point alone I differ from my hon. friend. I think that it is one of the most valuable modes of ascertaining whether, if Parliament should be disposed to do so, an Act should be passed to prohit the liquor traffic. I cannot but think it would, and therefore, almost doubting my own opinion, seeing I differ from my hon. friend beside me, I must say that I cannot accept the view that public opinion is not to be ascertained in the way that the commissioners have thought fit to collect it.

Hon. Mr. VIDAL—The Manitoba system is a better way.

Hon. Mr. POWER—I am rather surprised that the hon. leader of the Government has nothing to say upon this question. It would be expected that we should have some declaration from him with respect to this matter. Looking at the attitude assumed by the hon. gentleman from Sarnia, two years ago, when this commission was proposed; one would naturally feel surprised that the hon. gentleman—who at that time had expressed such entire confidence in the intentions of the Government, in the character of the commission, and in the satisfactory results of its labours—had put a notice on the paper which seemed to indicate a feeling that everything was not going on just as it might do under this commission. I myself, as an admirer of the hon. gentleman from Sarnia, felt somewhat pained that the hon. gentleman's confidence in the commission had been shaken; but my mind was relieved when the hon. gentleman in the course of his remarks said that as far as he was concerned, he quite recognized the virtue of a Royal Commission, but that there were certain ungodly people outside who, while they were temperance men, were not perhaps as strong supporters of the Government as my hon. friend and who began to blaspheme against the commission. I think that the hon. gentleman, although he reiterated his expression of confidence in the commission, gave utterance to some sentiments which would rather lead an impartial listener to believe that his own confidence had been somewhat shaken. He criticised, in a very gentle way of course, the line of action followed by the commission and the composition of the commission; and the hon. gentleman seemed to doubt whether the intention of Parliament had been carried out in the instructions given to the commission and in the line of conduct which they had adopted. Now, if Parliament had been composed of gentlemen who entertained the same sentiments on the subject of prohibition which are entertained by the hon. gentleman from Sarnia, I think probably the hon. gentleman would have been right in thinking that the intention of Parliament had not been carried out; but what was really the intention of Parliament? I do not wish to be disrespectful to Parliament; but I have a very strong impression that a great many of the gentlemen who voted for the appointment of a Royal Commission did so with a view to shelve a disagreeable question and get it out of Parliament to some other place where it would not trouble Parliament for some time.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. POWER—And I think the hon. gentleman must feel that that end has been attained to a very considerable extent. One of the faults the hon. gentleman found with the mode of examination pursued by the commission was that they asked whether in the opinion of the witnesses a prohibitory law could be enforced. Now, I think that that was a very practical, reasonable and fair question, and the hon. gentleman from Barrie has indicated how reasonable and proper a question it was. I do not think, that the hon. gentleman from Sarnia, with all his experience and with his knowledge of everything which relates to the questions of temperance and prohibition, can point to any community of anything like the population and territorial extent of Canada where a prohibitory law has been satisfactorily enforced. We all know that in the state of Maine, which is a much smaller region than Canada, and where the public sentiment was supposed to be overwhelmingly in favour of prohibition, prohibition has certainly not been by any means thoroughly enforced. One can get drunk in the state of Maine just as readily and upon just as bad liquor as he can get intoxicated anywhere else: and men do it there. However, I do not want to go into a discussion of the questions of temperance and prohibition and non-prohibition. I think that it will be time enough when this commission reports, which will probably be some time after the next general election, for us to discuss the question of the possibility of carrying out a law of that kind, if the commission should recommend the adoption of a prohibitory law. The hon. gentleman said also that the question of compensation should not be considered. Now I think that the hon. gentleman was hardly consistent with himself in taking that ground. I understood the hon. gentleman to say that the space of two years or nearly two years which had elapsed since this commission was appointed, was quite long enough to have brought us some definite report from the commission; but the hon. gentleman will see that if the commission did not deal with the question of compensation, that question being a difficult and trying one would, as a matter of course, be referred by this Government to another commission, and no further action could be taken in the matter until that question was reported upon; and the question of compensation being a difficult and trying one, it would probably call for a very extended inquiry by this new commission; probably the commissioners would feel it their duty to go over to Great Britain and sit there, because the question of compensation has been considered there; and I think the hon. gentleman from Sarnia must see, that if he is in a hurry to have a prohibitory law, or if he is in a hurry to get the report of this commission—a final report which will dispose of the whole matter—he had better let them deal with the question of compensation, and we shall have the whole matter before us at once, and he be in a position to decide whether or not we shall have prohibition. Then the hon. gentleman criticised the *personnel* of the commission. He admitted that the gentlemen who composed it were all respectable, and I do not think any one has raised any question about that. I understood him to say that four out of five were opposed to prohibition, as far as he could judge from the questions which they asked. Well, that may or not be the case; but, after all, hon. gentlemen, the great point about this commission and every other commission which this Government appoints is this, that the commissioners are all good Conservatives; that is the important point. The public money is going to gentlemen who have done good service for the Conservative party. It may be that there is one exception: perhaps that one temperance man is not a Conservative; I do not know; but I think that the commissioners and the employees of the commission are nearly all good Conservatives; and the giving of merited reward to good Conservatives for their services to the party is one of the casual advantages of the Royal Commission. The important object, of course, is to relieve the Government from the necessity of dealing with the question of prohibition. The secondary object is to afford pleasant employment, at remunerative rates, for gentlemen who have fought and bled for the good cause; and that has been done. I am surprised that the hon. gentlemen from Sarnia should raise any question about the *personnel* of the commission.

Hon. Mr. VIDAL—I did not raise any question about it at all.

Hon. Mr. POWER—The hon. member from Quinté suggests that the reason why the hon. gentleman from Sarnia was not satisfied with the *personnel* of the commission, was that he or his temperance friends has not been consulted.

Hon. Mr. VIDAL—No.

Hon. Mr. POWER—There is something in that, looked at from the hon. gentleman's point of view; but from the point of view of the Government there is not so much in it, because the Government were best able to judge what gentlemen most deserved something from the Government. Now, I beg to say that in my humble way I quite concur in the observations made by the hon. gentleman from Barrie, with respect to the question of a prohibitory law; but I think the hon. gentleman to a certain extent anticipated what might be contained in the report, and his remarks were, perhaps, not altogether relevant to the motion made by the hon. gentleman from Sarnia. I am sorry that the hon. leader of the Government did not express the views of the Government on the question. I do not know whether the hon. gentleman is in a position to tell us when this commission is likely to report or not. If he is, perhaps he will be kind enough to take the House into his confidence to that extent.

Hon. Mr. McCLELAN—In making this motion I think it certainly was not the intention of the hon. gentleman from Sarnia to introduce at this time in this House a discussion of prohibition upon its merits.

Hon. Mr. VIDAL—Hear, hear.

Hon. Mr. McCLELAN—But I have been very much surprised indeed to find, as the hon. member has stated, the hon. gentleman from Sarnia criticising the course that the Government has taken in this matter. At the time the resolution providing for this commission was under discussion, my hon. friend from Sarnia approved of the course then proposed. I was surprised to hear him state that in his opinion it was about the best course that could be taken to meet the wishes and prayers of a very numerous body of petitioners who approached this Parliament on that question. The prayer of the petitioners read before the both Houses of Parliament indicated, as plainly as the English language could indicate, that they wished the Parliament of the country to pass a prohibitory law immediately: there was no application or prayer made by these people from all parts of Canada for a commission to inquire and see whether the time has arrived for a prohibitory law to be enacted in his country; and yet at the time I remember, distinctly remember, hearing my hon. friend from Sarnia rise in his place and state that it was quite in accord with the prayer of the petition, and he also made the observation at the time that he had the honour of being the president of the Dominion Alliance. Now, I for one cannot agree with the expression on his part to-day of disappointment. I think that the object of Parliament and of the Government on the occasion of those petitions being presented, must be obvious to everybody. The object and intention was, to adopt an adage which prevails with all Governments, that when an urgent and difficult moral question is presented for their consideration, the very best way of disposing of it is to appoint a Royal Commission and place the report thereon among the blue books. I think that will be the result in this case, and no other result will follow. It matters little, excepting in the item of expense—and as my hon. friend has said, the expense comes out of the people of this country and will be distributed among friends—it matters little whether the report comes this year or next year or the year after.

Hon. Mr. SCOTT—Or not at all.

Hon. Mr. McCLELAN—It matters little when this report comes, the result will be the same; the prayers and expectations of those petitioners will not be answered.

Hon. Mr. KAULBACH—I do not agree with all that my hon. freind who has just taken his seat has said with reference to this matter. We all know pretty well the nature of these petitions; they all seem to be largely in the handwriting of two or three individuals, they are stereotyped petitions, and it is the easiest thing in the world to get them signed and, after all, the petitions are only a very small minority of the people of the country. The petitions are got up, by people employed by the different associations; of course they have an immense power at their back, but after all they are but a small minority. As regards the *personnel* of this commission I know nothing: and I know nothing as regard their antecedents, their predilections as regards temperance or otherwise, neither do I know whether they are supporters of the present Government or whether it is for meritorious service they have been appointed. I think it is a matter of imagination purely with my hon. friend as regards that point. With reference to the question of how they should act and what evidence they should take, I think the commission will be governed entirely by the power given to them under the commission from the Parliament. I presume that those instructions are fully contained in it and that beyond that they will not go. It seems they are empowered to take opinions upon all subjects respecting the matter of prohibition: and I think they will not extend beyond that. Neither do I wish to anticipate the result of the evidence, nor what effect it will have on the public mind and on Parliament. I think the hon. member from Sarnia has rather prejudged the case. He believes there is sufficient in it to justify Parliament in passing a prohibitory law. I am not passing any opinion upon that at all, although I have a very strong opinion with reference to it. Then my hon. friend says we could pass any law and it could be carried out in this country. I say no. You must have a large backing in favour of any legislation before you can have it executed and carried out. With regard to temperance law, we know well enough how it works. In my own country there is a provincial law and there are men selling openly before the public every day; and not one violation in a thousand has been punished. Vigorous and zealous men have been appointed to carry out that law; they have saddled the country with large sums of money, ten times more than the fines would come to; and the result is that more liquor is sold. I say that the moment we go beyond moral suasion, the influence of the churches, societies and temperance organizations, we defeat our object. The churches and societies have more beneficial effect upon the public than all the legislation that we can enact. You will never make a man moral by Act of Parliament.

Hon. Mr. SCOTT—I did not propose to make any observations on the question, because I thought the main proposition involved in the duty of the commission was not really before the Chamber; and it is rather permature to discuss the question of prohibition at the present moment; but I rise to prevent the impression going abroad that it is the opinion of this Chamber that a prohibitory law is asked for by a very small minority of the people of Canada. Over twenty years ago, I can very well remember that petitions poured in from all parts of this country praying for the adoption of some law that would to a certain extent limit the consumption of alcohol and lessen the drinking habit. That public opinion which found expression in petitions twenty years ago, has I think, been growing rapidly during that interval, and to-day Canada stands in about as advanced a position on the temperance question as any other country in the world—certainly in advance of any country on the other side of the Atlantic, and quite abreast with some of the neighbouring states, even though what is known as a prohibitory law has actually been adopted there. The temperance agitation in Canada, whether due to restrictive laws or whether due to our license system, or to the influences from the pulpit, benevolent people and philanthropists, has been productive of an immense amount of good, and anybody who has given thought or attention to the growth and development of the temperance movement in Canada, must see that in the last twenty years a marvellous stride has been taken. In reference to this particular commission, I do not propose to offer any comments. At the time it was appointed I thought very little of it, because I know that the method usually adopted in taking evidence before a commission of this kind, must necessarily result in practically nothing. I have not read all the evidence. From time to time I have gone over a column or two of it in the newspapers as it appeared, and I came to the conclusion that the commission generally called forward six persons in favour of prohibition, and six who were against it, and they got their views. They were taken down in writing and given to the press. It left the question just where it started, and I do not think any sensible person, any person who has given any thought or attention to the subject, or whose judgment on the question is of the smallest weight and importance, would be guided in any degree by the result of the commission. From my standpoint it is a perfect farce—an absolute farce. Here are some tens of thousands of witnesses called before this commission, some voluntarily and some under a request, and they have simply spoken their own feelings, honestly, no doubt. The man who deals in liquor believes a prohibitory law is absolutely impossible. The man who is in favour of a prohibitory law is just as firmly convinced that it can be enforced, and that it is the best thing for the country. He speaks from his own stand-point. I ask any of you, gentlemen, who have thought over this question in the last ten or fifteen years, whether you do not find society is divided into two camps? The temperance camp is the one that is increasing, I am happy to say—that is, those who are in favour of increased restriction—I will not go so far as to say absolute prohibition, but in some degree reducing the facilities for people destroying themselves and the happiness of their homes. The movement has been going on steadily year by year, the number of licenses has been year by year restricted. All these things tend to the education of the people; they all lead in the proper direction; and this commission, if it serves any purpose at all, is useful only to this extent, that public opinion is directed to a most important question, namely, the best method of restraining the people in their drinking habits. As I said before, I am not going into the main question: it is premature. It is important we should have those instructions which have been given to the commission. I only wish my hon. friend had been equally thoughtful two years ago. We could then have known whether those instructions were in the right direction. The public would have criticised those instructions and the press would have commented upon them; and it would have been very useful and very valuable; and probably have formed in some degree a guide to the commission as to the methods on which they ought to proceed. The result of this commission will be huge volumes of material that would be absolutely useless as a guide. While on this subject I may here say that the opinions differ according to the localities just as it is apparent that prohibitory laws and restraining laws can be enforced in one locality and not in another. An attempt to enforce a law in British Columbia might be useless, but in the other end of the Dominion, to enforce it in Prince Edward Island might be perfectly feasible, owing, perhaps, to the difference in the character of the two people and educational advance on this question. I am glad to know that in large numbers of the provinces, New Brunswick and Nova Scotia, &c., the temperance feeling is so far advanced that even a prohibitory law might be carried out. There is, of course, in other provinces an opinion that is so hostile and adverse that it would be perfectly futile to attempt to enforce prohibition. In several parts of the Dominion, in the western provinces, where the consumption is six times as much as in the eastern provinces, it would be absolutely absurd to attempt any such system.

Hon. Mr. ALLAN—The hon. gentleman from Sarnia, knowing as we all do the very deep interest he has taken in this question all his life, is to be congratulated on the temperate manner in which he has brought forward his resolution. I see nothing inconsistent in his action to-day with the action he took on this question when the commission was first appointed, but I do take issue entirely with my hon. friend from Ottawa as to the value of this commission. I do not agree with him that you can draw a hard and fast line as between two classes in the community —the one temperate and the other not temperate. There are large numbers of people in this community who are strong advocates of temperance—I do not say of prohibition— who have all their life long done everything in their power to advance the cause of temperance, but have very great doubt indeed as to whether that cause could be best served by attempting to enforce a prohibition law, and I think the object of this commission is to endeavour to lay before the public information which will enable them to form a correct judgment on the subject. The point was well taken by my hon. friend from Barrie, that it was of very great importance, from that view of the case, to ascertain the opinion of the people as to how far it was possible or feasible to carry out such a law. Now, I happened to have attended, some few years ago, a temperance meeting that was held in Toronto, under the auspices of a Prelate of the Church of England, who had always been a strong advocate, not only of temperance, but of prohibition. At the same meeting there was present the secretary of the largest temperance organization in the United States, and one piece of advice which he gave to his audience was "Whatever you do, do not go in advance of the convictions of the people—do not attempt to carry out a law that their convictions do not approve of and which will only result in breaking the law and in that way will have a very injurious effect from a moral point of view." Now, as I said before, there is a large number of people, not prohibitionists, who are strongly interested in the temperance cause and heartily desire to promote it, and it is only right that they should be given an opportunity to express their opinion on this question. I happened to be in Montreal when the commission was sitting there and had a conversation with Judge Macdonald, of Brockville, and the evidence which I heard there and much of it that was communicated to me was, I think, exceedingly interesting and of very great importance and could not fail to have a good influence in helping people to form a correct judgment as to the best course to be taken. The Government are not likely to refuse to answer the questions on the paper, and I quite agree with my hon. friend in thinking that the public are entitled to the fullest information as to what the commission is doing and propose to do.

Hon. Mr. LOUGHEED—I had an opportunity of observing to some extent the means adopted by the commission in question in conducting their examination in the matters referred to them particularly in the North-west Territories, and it was by reason of that observation that I venture to express myself on this occasion in reference to the matter brought before this honourable House by my hon. friend from Sarnia. It appears to me that if my hon. friend had limited himself to taking exception to the delay which had been exercised by the commission in the preparation of their report and the submission of it to Parliament, he might have been justified, but I think he is adopting an indefensible position in attacking the method pursued by the commission, and anticipating the report which in the near future they may submit. My hon. friend appears to overlook the fact that this, to a very large extent, is a judicial body. As I understand they are invested with all the powers of a judicial body. It has been given to them to make an investigation into a most important subject, a subject which affects every individual in this Dominion to a greater or less extent, and judicial powers are given to them in respect to the summoning of witnesses and in respect to arriving at a particular judgment as to the result of that investigation. Now, my hon. friend would not have been justified for a moment in anticipating the result of what a judicial body might find in respect to a particular investigation; why, therefore, would he be more justified in anticipating the result of this commission on this subject, one which is of quite as much importance as any that can come under the deliberation of a judicial body? I observed, as stated before, the method of procedure adopted by this commission when sitting in the North-west Territories, and if my hon. friend had acquainted himself, as he possibly may have acquainted himself, with the methods adopted by that commission in pursuing the investigation, I am satisfied he would not take the exception which he has taken to the methods adopted. That commission, on the occasion to which I have referred, issued subpœnas summoning before them the various judicial and federal officers within the territory, and also the various officers of the North-west Government, that these officials might give their views in respect to the matters before the commission as well as of the feasibility of carrying into operation a prohibitory liquor law. My hon. friend is fully aware of the fact I presume, that for some years we had in the North-west Territories the closest approach to a prohibitory liquor law that has yet been experienced in any part of Canada, and it therefore became a matter of very great value to the people of the entire Dominion that these opinions—the opinions of all classes of the community within the territory should be obtained as to the feasibility of the proposed prohibitory liquor law, which the commission is now considering. How was it possible, therefore, to obtain a proper consensus of opinion within the territory as to the matters referred to in the commission? My hon. friend would not expect that the commission should confine itself to examining before itself those who are entirely in favour of a prohibitory liquor law. My hon. friend surely would not propose so narrow and limited a sphere as that—he would not limit the evidence to the particular class which would unhesitatingly say that a prohibitory liquor law should be adopted and that it could be successfully enforced. Now, the Dominion Alliance, of which my hon. friend is so worthy a representative, was represented at that commission by one of the ablest representatives of the Alliance—I allude to Mr. Spence. I venture to say that there is no one in the Dominion of Canada who is more enthusiastic or energetic or better qualified to discharge the duties pertaining to that position. On the other hand those who opposed the adoption of a prohibitory liquor law were represented by a gentleman well known here—I refer to Mr. Kribbs. Facilities were given to these gentlemen to examine before the commission the various parties in the territories who might be deemed to have some knowledge in respect to the matters in question. This was done; the commission examined before them the judges and officers that I have before mentioned, and the other two gentlemen examined the various witnesses called before them by those respective parties. Therefore a method was adopted to obtain every shade of opinion touching the advisability of passing a prohibitory liquor law and the probability of its being enforced. As I have already stated, for some ten or twelve years we had a very close approach to a prohibitory liquor law in the Territories. It was absolutely prohibitory so far as the sale was concerned, and absolutely prohibitory so far as the importation of liquor into the Territories was concerned, with this exception—power was given to the Lieutenant-Governor to issue permits to those who might desire to bring in liquor for domestic or medical uses. It must necessarily be of very great value to the finding of that commission, that evidence with respect to the operation of that law in the Territories should be discussed in every possible phase and that every class of opinion should be ascertained to enable them to come to a proper decision as to whether that law was a success and whether it could be properly carried out in the shape of a general prohibitory liquor law. I am, therefore, of the opinion, that under these circumstances the commission is not at all blameworthy in adopting the procedure which has been adopted, particularly as the composition of it appears to have been approved of by the hon. gentleman from Sarnia, and so far as I am aware by both branches of Parliament. It would be more beneficial to the cause of temperance if the commission should be supported in the procedure it has adopted for the proper investigation of the subject, so that when the report is submitted to Parliament we shall have before us every phase of opinion throughout the whole country and we shall thus be placed in a better position to arrive at a proper conclusion on the subject, than if a more limited plan had been adopted in carrying out the investigation.

Hon. Mr. VIDAL—Does the hon. gentleman know the number of witnesses examined in the North-west investigation?

Hon. Mr. LOUGHEED—In the town of Calgary, the largest town in the Territory, the commission sat a day, probably six or seven hours, and it is quite possible that as many as twenty witnesses were examined in Calgary. That probably would be the length of time which they sat in each of the other centres of settlement in the Territories.

Hon. Mr. VIDAL—Do you think that the statements of the witnesses who gave their testimony might be taken as an indication of the opinion of the whole of the Territories?

Hon. Mr. LOUGHEED—The various witnesses called in the town of Calgary and other centres of settlement in the Territories were fairly representative witnesses of all the shades of opinion which prevail in the Territories.

Hon. Mr. SANFORD—I am thoroughly in accord with the last speaker in thinking that the report of the commission will be invaluable to the temperance organizations. I think that it will show that prohibition in the present state of public opinion will be an impossibility. It has proved an impossibility in every section where it has been adopted. It will educate our temperance friends to fight the battle on another line. When in Norway, three years ago, I was very much interested in the policy adopted in that country to free the people from a habit which was simply destroying them. In Norway drunkenness was the prevailing vice. It was degrading the people in all directions until it reached a point where legislation was deemed absolutely necessary and something like local option was introduced thirteen or fourteen years ago. If I had anticipated this discussion to-day, I should have placed before the House the Government returns for the ten years during which the system had been in operation in Norway.

Hon. Mr. VIDAL—We are not discussing prohibition, we are only getting information about the commission.

Hon. Mr. SANFORD—I think I am quite as near the line of what we are discussing as the other members who have spoken. I was exceedingly interested in the remarks of my hon. friend from Sarnia. I know he always keeps within five or six miles of the question before the House. Wherever prohibition has been adopted up to the present time it has proved a failure. You must educate the people through some such policy as that which was adopted in Norway for that purpose and which proved most satisfactory. The local option applied to cities, towns or counties as might be selected. Take for instance a city like Ottawa: a party of gentlemen, the representative philanthropists of the city, organized a joint stock company. They went to the city council and took every license at the regular rate, engaging to carry out literally the law with regard to the hours of closing. They engaged further, and found it in their interest to do so, to give better qualities of liquor. They did not allow in any instance a boy under eighteen years of age to have a glass of liquor. No child, boy or girl, was permitted to enter a saloon and the drinking places were closed promptly at the hour named in the law. Whatever the result might be financially was divided in this way:—6 per cent to the investors for interest on their investment, 5 per cent as a reserve to meet their expenditure for the outfit of the saloon, and the balance was divided among such local charities as were sustained by the local philanthropic people of that city. The result, as I carry it in my mind, at the end of ten years was that the consumption of liquor was reduced one-half, and something like £240,000 was given to support the local charities throughout Norway. The habit of drinking, which had been the prevailing habit of the people, was then a matter of indifference, because if a man felt a desire to get a glass of liquor, he drank it, paid for it, and immediately left the place. There was no spot for him to lounge about, no electric lights, no easy chair, he simply took his liquor and went away. That general habit of treating soon fell into disuse, and why? In the hotels, on the railways, and on the different steam-ships, wherever you travelled, you always had liquor at your disposal—you had only to go to the table and help yourself. People became indifferent to it, and the privilege was availed of by only a limited number. The system has proved most satisfactory to Norway. It was also satisfactory in Sweden up to the time that the Swedish Government decided to use the revenue not for charitable purposes, but for the general purposes of the Government. Naturally, the result was most unfortunate. If our temperance people will take up the question of local option, such as I have described as existing in Norway, and will introduce it in this country, most satisfactory results will follow. A reference has been made to vested rights. That question was considered also, and it was decided that the liquor dealers had no vested rights. They got their licenses from year to year, and at the expiration of the current license they had no further claim on the community. The organization to which I have referred, said: "We will buy out your outfits so that you will sustain no loss." I should be very glad to place before my hon. friend from Sarnia the figures upon this matter. I have them at my disposal, and I think it would be a convincing argument that we would be pursuing a mistaken policy in seeking to enforce prohibition in any part of the Dominion.

Hon. Mr. BOWELL—There can be no possible objection to bringing down the papers asked for in this motion. I see nothing in the resolutions calling for an expression of opinion from the Government either upon the question of prohibition or the manner in which the commissioners have transacted their business or made their investigations. I notice, however, that the hon. member from Halifax is exercised on that point, and that he is somewhat surprised that an opinion has not been given by the Government upon this very important question. I notice also that during his remarks he very dexterously avoided giving an opinion of his own. Leading, as he does, one of the great sections or parties in this country, one would have supposed that he had an opinion upon this subject and that while asking for the opinions of others he would have volunteered his own for the purpose of convincing them that they should adopt his view. The only opinion that he gave, and which was endorsed by his leader, was that the Government deserve censure for the course they have pursued with reference to this question. That of course was not at all objectionable: we could have expected no other utterance from the hon. gentleman even when dealing with a question of such momentous character as that of prohibition. However, there is one point on which I venture to differ from the opinions expressed by the hon. gentleman from Sarnia, and which was treated very fairly and logically by the hon. member from York—that is, as to the value of any report that may be made by this commission. The hon. member from Sarnia says it was useless to ask those who dealt in intoxicating liquors and made their living out of the traffic, what their opinion might be as to the propriety of enacting a prohibitory liquor law or the possibility of its enforcement. I think it would be equally absurd, if that is so, to ask the opinion of my hon. friend who has made the motion before the House. We all know what his opinion is on this question, and consequently it would be a wates of time to seek through the commission his opinion on the subject. But there is a different class in this country—ardent temperance people, men who would, if the facts justified it, lend their aid and give their votes for prohibition—who would support such a measure if they felt it was at all practicable to carry it out. It is this class of people in the country that will have to be reached and convinced of the propriety or impropriety of enacting in this country a prohibitory liquor law. The hon. leader of the Opposition was singularly unfortunate in taking Prince Edward Island as an illustration of what could be done in the way of enforcing the prohibition principle. If there is any part of the Dominion where such a law could be enforced it is that particular province. In every part of the province the Canada Temperance Act, generally known as the Scott Act, was adopted, yet any one who has visited the Island must have been struck with the fact that liquor could be procured anywhere in the province in any quantity that one might desire. I do not intend to discuss the principle of prohibition, but I could not help referring to that fact—that the hon. gentleman was singularly unfortunate in his reference to Prince Edward Island. The hon. member from Calgary has given some practical hints from his experience in a country where a prohibitory liquor law was enforced for some years. However, I shall not dwell upon the question. The hon. member from Sarnia complained a little of the composition of the commission. I know from my personal knowledge at the time the commissioners were selected that the Government endeavoured, whether successfully or not, to select gentlemen of undoubted probity of character, men in whom the country would have confidence, and if it were their good fortune all to be Conservatives, that was the best evidence they would be honest in any opinion they gave. Sir Joseph Hickson is well known to the people of Canada. I do not say that he is a teetotaler, or that he is in favour of the principle of prohibition, but from the standing that he holds, his opinion would be accepted by the people as an honest opinion. Next we have ex-Mayor Clarke, of Toronto. He was elected for four terms I think to the position of mayor of that city: he is a gentleman who stands high in the public estimation and whose character is unimpeachable. I do not say that he is a prohibitionist or teetotaler. Then we have Judge Macdonald. I know that he was a very ardent temperance man. I have been personally acquainted with him for a number of years. Whatever his opinions may be now, since he has been conducting this investigation, I know that he has occupied a very prominent position among the temperance people of Canada and his reputation for honesty is well known. Then we have the Rev. Dr. McLeod, of New Brunswick. He is not only an ardent temperance man, but a teetotaler and a prohibitionist of prohibitionists, and he stands high in the estimation of the people. He is a man of education and ability and I believe has the confidence of every one who knows him. The fifth gentlemen is Mr. Gigault, with whom I have had the honour of being associated in Parliament for a number of years. I know from personal experience that if there is a decided temperance man in the province of Quebec he is that man.

Hon. Mr. ANGERS—An intemperate temperance man.

Hon. Mr. BOWELL—As my hon. friend says an extreme—an intemperate one. Taking the whole of them, from their standing in the community I think the temperance people of this country should have confidence in their impartiality and have no ground for finding fault with the Government for the selection they have made.

Hon. Mr. VIDAL—I have never heard a complaint.

Hon. Mr. BOWELL—The leader of the Opposition says that the appointment of this commission was an absolute farce, and that the result would be useless. Time must answer that question : I do not propose to discuss it just now, but I am quite satisfied that their report when laid on the Table will give such information as will enable the people of Canada to arrive at a correct conclusion as to the propriety of adopting a prohibitory liquor law, and the feasibility of carrying it out in case it should be adopted by Parliament. I can only tell the hon. gentlemen from Sarnia that at the very earliest moment that we can prepare this return it shall be laid before the House. I do not know exactly what he means by this portion of the third paragraph "Copies of any and all documents and statistics furnished to the said Royal Commission by any of the departments of the Civil Service or any officer of the Government." Documents issued by a department of the Civil Service would necessarily be official. Probably the hon. gentleman means some of the officials of the Civil Service. If he means that it will be necessary to change the language of the clause. If his desire is simply to obtain orders issued by the Government by authority of the department they will be brought down. There may be some, and if there are they will be laid before the House.

The motion was agreed to.

The Senate adjourned at 5.12 p.m.

THE SENATE.

Ottawa, Friday, February 24th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THE MARINE HOSPITAL AT VICTORIA.

INQUIRY.

Hon. Mr. MACDONALD (B.C.) inquired:

Is it the intention of the Government to put the Marine Hospital at Victoria in such a state of repair as will afford more comfort to the patients and better accommodation for medical men attending the hospital, and whether it is the intention to introduce a supply of good water without delay? Also, whether any change is contemplated in the present mode of feeding the patients?

He said : In asking these questions I do not propose to say much. I believe the Government know, as well as I do myself, that this hospital is not all that it ought to be. It requires repairs to make it more convenient for patients and medical men attending the hospital. It requires a supply of pure water, the lack of which has been badly felt. There is now a supply of good water within a mile of the hospital—a supply of the best water to be had anywhere. I hope the Minister will tell me that the Government are going to do all these things suggested in the inquiry. With reference to the mode of feeding the patients, the present system is to farm them out, which is not the best plan I think.

Hon. Mr. BOWELL—In reply to the question put by the hon. member for Victoria, I have to inform him that it is the intention of the Government to put the Marine Hospital at Victoria in first-class condition, so as to afford every comfort to the patients, and proper accommodation for the medical officers attending the hospital. It is also the intention of the Government to introduce a plentiful supply of good water without delay, from the Esquimalt Water Works. No change is contemplated in the present mode of feeding the patients. I may further add that the repairs which have been going on for some time, have been conducted under the superintendence of Mr. Gamble, the engineer of the Public Works Department at Victoria, who has reported that the repairs are nearly completed, and that new closets, baths, lavatories, new floors, painting, drains, etc., have all been supplied. The only thing remaining to be done is to lay a pipe from the Esquimalt Water Works Company's pipe, on the main road between Esquimalt and Victoria, to the Hospital, through the Indian lands, and Mr. Gamble has been in negotiation for some time past to obtain the necessary authority from the officers of the Indian Department to lay the pipe through these lands, which authority has now been obtained. When completed, the hospital will be all that could be desired. It has been suggested, however, that the sick mariners would be better taken care of in the city hospital, commonly known as the "Jubilee Hospital," where it is understood they would have the benefit of a resident doctor and nurses, and all the appliances and advantages of a modern hospital. Negotiations are now being carried on with the managers of that hospital for this purpose, and if suitable arrangements can be made, it is probable the sick mariners will be moved to that hospital, so as to be put in the best and most comfortable position. With reference to the present system of feeding the sick mariners, the keeper of the Marine Hospital receives a free house, a salary of $500 per year, and $5 a week for the patients, which is considered a liberal allowance, and more than is paid to the keepers of other marine hospitals in the Dominion. The doctor has reported that the food supplied by the keeper is excellent, and the patients who have recently been in the hospital have expressed in writing, that their treatment in the hospital has been all that could be desired, and that they have been looked after and taken care of in the best manner, and the food was plentiful and of the best description. This manner of boarding patients, at a certain allowance per week, has been adopted at the other marine hospitals in the Dominion, and has been found to work remarkably well. The duty of the doctor who attends such hospital is to see that the patients are properly taken care of, and fed in the most approved manner. If the sick mariners are moved to the Jubilee Hospital they, of course, will receive similar treatment to the other patients taken care of in that hospital, and will receive the advantages and appliances of a modern hospital.

Hon. Mr. MACDONALD (B.C.)—The reply is very satisfactory—it is better than we could have expected.

The Senate adjourned at 3.36 p.m.

THE SENATE.

Ottawa, February 27th, 1893.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

THE CHOLERA OUTBREAK.

INQUIRY.

Hon. Mr. FERGUSON rose to

Call the attention of the Government to the reports of a renewed outbreak of cholera in Europe, and to the fears entertained that there will be an epidemic of cholera, both in Europe and America, during the coming summer, and inquire of the Government what steps they have taken and intend to take to prevent the introduction of cholera into Canada, and to deal with it if so introduced?

He said: My object in making this inquiry is not only to ascertain what the Government have done, but what they are doing and what they intend to do to defend this country from an invasion of cholera during the ensuing summer. Not only that, but to elicit from the members of this House, a discussion from which the Government perhaps may be able to obtain some information, or at all events receive some suggestions that may guide them in what they propose to do. It has been said that a discussion of this kind in this House might excite public alarm. Now, I am not of that opinion. On the contrary, I believe it will be reassuring to the public, I believe it will fill the public mind with confidence and with hope, to learn that the Government is fully alive to its duty in this regard at this particular time. Not only that, but the municipal authorities in some places are considering the question. We find the public board of health in Toronto is discussing this subject; therefore, I think it is my duty to bring this matter before the Government in this House, in order that they might be encouraged in going on with the good work, as I said before, of defending this country against an invasion that, I will undertake to say, is not less to be dreaded than invasion by a foreign army. Now, hon. gentlemen, that an outbreak and a widespread outbreak of cholera will take place in Europe during the ensuing year, I think is beyond peradventure. You will see that the medical officer, Dr. Kinster, appointed by the United States Government to investigate and examine the condition of Europe's cities and towns, reports that he finds nearly every town and city in Europe which he has examined to be in a most unsanitary condition. You will find that the alarm in Europe to-day is so great that a convention has been called at Vienna, not only of the medical profession of every country in Europe, including England, but of all the sanitary officials and experts on the continent, to provide some means by which the enemy may be met ; therefore, I think we are justified in this House in telling the Government that at this particular time they must do their duty to the people of this country. Now we all, perhaps, know that cholera is a filthy disease ; it is of animal origin ; it is a bacterial organism, a living organism, which requires not only food for its living, but for its propagation and multiplication ; that it multiplies in a most amazing degree and it finds most fruitful soil among people who are prepared and ready for its cultivation, by bad sanitation, by badly ventilated houses, badly drained houses, bad food, and above all by bad and impure water. It is the testimony of nearly all who have any experience that cholera poison is disseminated chiefly through water. This is the experience of nearly all the cities and towns not only over the civilized world but over what we call the semi-civilized world : that impure water above all things is to be avoided ; and I might say just here, that the remedy for this, is that all water, from whatever source you get it, ought to be boiled for at least five minutes before being used either for drinking or other purposes. I may dwell for a few moments, with the permission of this House, upon the question as to where cholera comes from. It originates in two places especially and particularly, and the first is upon the sterile plains of Arabia, flanking on the Red Sea on the west, where, as you know, stand the holy cities, or what are called the holy cities of Mecca and Medina. It also comes from Hindostan. There, it is said to originate spontaneously. It originates in these places simply because of the filthy habits of the people, because of the numbers who congregate there year after year to worship at the shrines of the deities and idols of the Hindoos. It originates in Arabia because the people assemble there almost annually at the greatest festivals they make to the tomb of Mahomet. Sometimes as many as 800,000 people assemble there at a time, many of them travelling four, five and six hundred miles, and in Hindostan, they travel from 1,000 to 1,500 miles and assemble in hundreds of thousands and they die there like flocks of sheep. At the tomb of Mahomet, they offer up thousands of sheep as sacrifices, and the offal of those sheep is spread out in the sun to rot and fill the air with miasma. We find the people dying there in thousands on the plains. They are not even buried. The clothes are stripped off them and a few inches of sand thrown over them. The wind blows the sand off and the bodies are exposed to putrify under a torrid heat. The clothes are taken home, and distributed as memorials to their relations. Thus cholera has originated in every instance at these two places Take the shrines of Juggernaut and Adam's Peak ; hundreds of thousands of pilgrims congregate annually and live in the most indescribable filth and die by the thousands. As soon as the cholera breaks out they flee for home and the roadside and desert are covered with the bodies of those who die on the way—bodies that are left to putrify in the sun and poison the air. You can understand that would be a place not only to cultivate the cholera germ or microbe, or whatever you wish to call it, but it lives there and has food on which to live. It remains there and only breaks out in an epidemic form at these great festivals and fairs and occasionally it makes a trip across Europe, reaches England and finally comes to America. No combination of natural causes can produce cholera. For instance dry and cold cannot produce cholera, nor can it be produced by dampness or moisture nor can any accidental causes such as famine or war, the misery of the poor or the luxury of the rich produce cholera. Cholera like all other contagious diseases, such as small-pox and scarlet fever, is specific. It is a peculiar poison and has to be transported in order to reproduce itself in other places, and this is one of the reasons why I move in this matter. There is no difference of opinion among people who are familiar with it as to its cause. Some people pretend to say that quarantine is no use. Now I propose to deal with this very briefly to show that quarantine is of use. Cholera is an imported article, and as the leader of the Government can tell you, like every other imported article it can be stopped at the frontier. Conditions such as filth, damp, and bad water may disseminate cholera poison. It is carried by man to man. It travels as fast as man travels and no faster. It travels in the highway of commerce and in no other places. In 1829 it started out in Hindostan. It found its way to Russia and from there travelled up the valley of the Volga to Moscow and from there it spread through Europe. It reached Hamburg in 1831, and England in January, 1832. Let me call the attention of the Minister of Agriculture, who I believe has charge of the department which deals with this subject, to the fact that cholera travels in winter and in summer—it travels as much in January, February and March as in June, July and August. Therefore, whatever the Minister of Agriculture proposes to do should be done forthwith in order that cholera may not reach this country and produce its direful effects. It reached England in January, 1832, producing great mortality and reached Paris in March and killed no less than 120,000 people in France. The first cholera case in this country was at the city of Quebec, on the 8th June, 1832, and was brought there by an immigrant ship. These immigrants were pushed through to Montreal, Toronto, Kingston, Hamilton and Niagara. We find it skipped over the healthy interval between Quebec and Montreal. Three Rivers barricaded itself and would not let the immigrants land there. It passed up to Montreal and made its abiding place there for a short time. On the way to Montreal a mattrass was thrown over the side of the vessel and was picked up by a man who took it home, and he and his wife died of cholera. Another instance was where a fisherman, who was fishing on the bank of the river, was asked to bury a dead body. He did so, and he and his wife and nephew died from cholera. Quebec lost 4,000 people and Montreal 4,000 in that outbreak. We have no record of what Toronto, Kingston and Niagara lost. It may be objected that quarantine and proper regulations are expensive. Let me say that it has been estimated by the highest authority that every adult is worth $1,000 to the country in which he lives. Now I think that is a fair estimate. If you take those 8,000 people that were lost in the cities of Quebec and Montreal, without regard whatever to the number lost in other parts of the country, you have a loss of $8,000,000 to this country. In 1845 cholera started again from Hindostan, travelled exactly the same course over to Astrakhan and up the Volga and reached Europe in the same way. It reached England in October, 1848, in the fall of the year, and produced terrific results there. Two vessels started, one from Havre, France, to New York, the other for New Orleans, both carrying cholera. It was spread through the whole of the continent from New York and New Orleans. We all have read of the result of the epidemic of cholera in 1849. The fatality was dreadful. I will mention two or three cases showing the extent of the loss. Russia lost during that outbreak no less than 600,000 people; England lost 70,000. The number in America has not been calculated. In 1854 it came exactly the same way—up the valley of the Volga to Moscow, and spread again and crossed the Atlantic to New York. France lost during this outbreak 114,000 of her people. It arrived in New York in May, 1854, and produced some terrible results, especially in the city of Buffalo. In one ward of that city which was not in a good sanitary condition the loss was one in every fifty-seven of the population. In another ward it was one in sixty. In another ward, where sanitation had been attended to, the loss was only one in 274. Montreal lost 1,300 people. In 1865 the plague came, not from Hindostan, but from Mecca to Alexandria, spread through Southern Egypt, cities of Syria and along the coast of the Mediterranean up to Marseilles and from there through France into England, and reached New York in 1865. This attack was not nearly so serious on the continent of America as were the other two. I have just given a brief outline of the attacks we have had on this continent of cholera, the source from which it comes and the place to which it came on this continent. The present epidemic does not differ from the others only in this respect, of its greater fatality, if possible, and of the greater convenience and improved rapid transit for reaching us. There is more known about cholera, it is true, more known about its causation and about its treatment, but however that may be, our duty is to meet the enemy upon the threshold and give it a cold shoulder and not allow it to enter the country at all. The duty of the Government at this particular time is imperative. It may be said that there are differences of opinion as to the jurisdiction in this Dominion—whether it rests with the Dominion Government, the Local Government, or the municipal authorities. I do not think that any difference of opinion ought to stand in the way one moment of this Government doing its full and complete duty in every respect, whether it infringes on the rights of Local Governments or municipalities. We will have the consciousness of having done our duty. I would barricade every avenue of commerce in this country. It is not necessary, as I will point out before I get through, to create great delay on the frontier, but it is necessary to see that the people who are diseased are stopped and taken care of and cleansed, and that all their clothes are cleansed before they are allowed to proceed. This does not take many days if you have proper methods of doing it. The great delay in quarantine has always arisen from lack of efficiency and sanitary police, for want of proper means of purifying the clothes of the people who have cholera and for want of isolation hospitals. You must separate the sick from the diseased; if you have the proper appliances, commerce need not be much delayed by a good system of quarantine. I will say that these quarantine stations ought to be supplied with the most approved appliances known to science; put them there at any cost. Suppose the cholera does not come, there is no loss. These appliances will serve to protect the country against invasions of other epidemics, such as we had in Vancouver and Victoria last year. It may be objected that quarantine regulations in Southern Europe have not prevented cholera as was anticipated. I grant that, but my reading has taught me this, it was not efficiently carried out. There was not a proper sanitary police, and unless it is well done it had better not be done at all, and in no case that I know of has quarantine been properly and efficiently put into execution. It will be said that England does not approve of quarantine. Now let me say England has quarantined every town and village throughout Great Britain and Ireland, by sanitary precautionary measures. England has spent in the last fifteen years no less than $30,000,000 a year in purifying her cities and towns—$450,000,000 in fifteen years to purify her cities so that cholera cannot enter. Cholera will not go to any country unless invited. It is a most respectable disease; unless you invite it by filth and uncleanliness it will stay away. In point as an instance of this is the city of Worcester. In 1865 the cities and towns in England were almost devasted, but in Worcester not one door was entered by the pestilence. Why? She had cleaned every part of the city and she had not a solitary case of cholera in her whole borders. England is no guide to us. Neither in the United States nor in Canada have those preparations for meeting the epidemic been made: therefore we have to depend largely on quarantine. There is no time now for the people of this country to make those sanitary improvements which are needed in order to ward off an epidemic of this kind. Therefore, as I said before, we have to depend on quarantine very largely to prevent the importation of this disease into the country. Quarantine every principal avenue of commerce: if there are small avenues, I would rather close them up for the season and make all commerce pass through the leading channels, thus making the quarantine effective. If we had no regard for human life at all, from a commercial stand-point it will pay this country, as I have shown, in the saving of life; but when human life is the sacrifice every pecuniary consideration must be dropped. We must save the lives of our people at whatever cost, and we have no right to stop to consider whether we can afford this expenditure; it is the duty of this Government to protect the public health at any cost. It has been estimated by an American authority, one of the best in the United States, that the pecuniary loss in New York City of an outbreak such as took place in 1849 would amount to more than $200,000,000, in commerce alone to that city without calculating the loss of life. I grant that this is a heartless standard on which to base an argument, but it is an argument and I felt it my duty to bring it to the notice of the House however heartless it may appear. I do not myself calculate the value of human life from a money stand-point, and I am confident that the Government do not either. Cholera is more or less a nervous disease. Fear will produce all the premonitory symptoms—how necessary it is therefore for us to allay public alarm by having proper preparation made to cope with the disease when it strikes the country. We all know the effect of fear upon the lower animals, that it acts upon the alimentary canals. We know the effect of it upon the human body—that it affects the alimentary canals the same way. Fear of cholera will sometimes bring on diarrhœa and all the preliminary symptoms of cholera. All the premonitory symptoms, lassitude and so on, are produced by fear, so that fear, while it does not originate the poison, will conduce largely to the spread of cholera. The enervating influence of fear, by lowering vital action, as every medical gentleman knows, makes the system a ready receptacle for any poison, whether scarlatina or cholera, but more especially cholera. We find in every great calamity, whatever it may be, that panic is the thing to be dreaded, If the public become seized with panic, whether on board ship or on board trains, it conduces to very serious results. If quarantine only afforded a contingent power of protection, we ought to have quarantine, and we ought to have it thorough and efficient; and unless it is efficiently carried out, with the proper sanitary police on the frontier, it had better not be carried out at all, because it would lull the public into a false security. I also believe it to be the duty of the Government to publish a pamphlet and put it into every household in this Dominion, calling the attention of every householder to what he should do in his house in order to be secured against the epidemic, and also what ought to be done in the early and premonitory stages of the disease, because I hold that in the premonitory stages cholera is the most tractable and easily managed disease known to the profession. It is only when it is advanced to the second and third stages that it becomes unmanageable. Therefore, how important it is to have the public armed with means of defence, with all the sanitary arrangements necessary about the house, and the knowledge of what to do in case one member of the family is attacked; because, while the house may be in a good sanitary condition, this member may go abroad and bring it home; and it is important for the people to know what to do, for it is so rapid in its course that there is not time very often to send for a physician. I will give to the House a few of these necessary things: local and house drainage; stench traps and privies, and every source of domiciliary impurity should be cleansed; ventilation, dryness, constant cleansing of every place and department should be attended to; no putrifying garbage should be left either in the cellars, yards, buckets, or anything of that kind; every cistern must be emptied, every wet place made dry; water should be boiled five minutes. The kinds of disinfectants to use and how to use them; avoid eating over-ripe fruit and unmatured vegetables; and above all teach people this, that rest is one of the most important things to ward off cholera. A man, or a woman, or a boy, or a girl who gets a good night's rest, is not apt to be attacked by any disease the following day; and the old adage "early to bed and early to rise," is as true to-day as when it was first uttered, and it should be impressed upon the people that the highest possible standard of vital force should be kept up. All excess of eating and drinking should be avoided. Wear flannel next the skin to prevent the sudden change of atmosphere, and wear flannel round the abdomen for the same purpose. If these things are done and observed, there is not much danger of any one being attacked by cholera. I will read what Dr. Sayer says about cholera—I suppose he is one of the greatest authorities on the subject—I was with him a short time during the epidemic in 1865-66 in New York City: If the people understood the simple fact that cholera is always preceded by certain premonitory symptoms, such as lassitude, debility and so on, and that in this stage of the disease it is almost always curable if the proper precautionary measures are taken, it would tend to allay public terror and largely reduce mortality. Now let me read you a little confirmation of this from what took place in England. This is a report made by the general board of health in England in 1865, and I will read a little of it to prove what Dr. Sayer says about this disease. Speaking of house to house visitation of proper medical officers in every town and city, he says:

> In Great Britain such a system of house visitation by medical experts was made the means of incalculable benefits to the people during the epidemic cholera in 1849 and 1854. Not only were the localizing causes of cholera discovered, but cases of cholera and the habitations it most frequented were continually discovered, where no other medical or efficient care had been given; a vast number of cases of cholera in its premonitory

and early stages were discovered from day to day and at once provided with care.

The object of my pamphlet will be to supply the householder with information to do exactly what was done here.

The attention of every family was called to the duty of using proper-hygienic care and employing timely medical aid. The prevalence of the epidemic in any home or locality became speedily limited and altogether ceased when such domestic inspection and skilful medical counsel were given. In the city of Glasgow, the sanitary inspectors found and prescribed for 15,000 cases of cholera in the early stages (1,000 of which had passed on to the rice-water discharges) and of the total number there were only 13 cases that went on to collapse. During the months of August and September, 1849, eight medical officers and their parochial assistants found 45,564 cases of cholera in various stages in persons needing their counsel, and of this number only 52 passed into cholera after treatment.

In the Metropolis and fourteen other cities and towns in which there was faithful house to house visitations, there were found 130,000 premonitory cases in various stages of development. About 6,000 were passing into developed cholera. Of this enormous number—says the report of the General Board of Health—not above 280 actually went on to the developed stage of the disease; and the reports show that even the larger part of this small proportion occurred within the first few days of the introduction of the preventive measures, and before they came into full operation.

I could give you much evidence to show that there is no disease known to the medical profession more easily managed and more curable than cholera; but if it ever reaches a certain stage it is almost certain death. So I will repeat, at the risk of being considered tiresome, that the most important duty of the Government to-day is to place in the hands of every household in the Dominion this information, that I am reading here to you to-day. It will stop panic; the public will have confidence and hope, and the disease will not spread so rapidly as it would if this was not done. Now, hon. gentlemen, I will not detain you any longer. I could quote from such men as Spencer Wells, who has written recently upon the subject. He does not give the treatment of cholera, but deals with it in many other respects. I will not tire you any longer, but I would urge the Government to spare no expenses now. The probability of the epidemic reaching Canada is greater to-day than it was in any previous year. With the Chicago exhibition, the large number of vessels crossing the Atlantic, unless careful measures are taken, will fill this country with that dreadful disease during this coming season; and the loss to commerce alone will be infinitely greater than any expense the Government might make. The stagnation of business in one week would cost us more than ten times the amount it would take to barricade the country against this disease; so that viewing it from no other stand-point, I would say to the Government that their duty is clear at this particular time, irrespective of any jealousies on the part of any municipalities, on the part of local governments, wherever they are allowed to do something to save human life in this country, let them do it; and I say it is imperative upon them to do it at this time. The country will endorse any expense rather than have the epidemic in this country again; and I am satisfied that every hon. gentleman in this House, whether he be with the Government in the House of Commons or out of the House of Commons, in this House or out of this House, and every voter in this country, will say to the Government, "Your duty is to prevent the invasion of this country by cholera during the coming season;" so that I think the Government, need not hesitate;—the Government need not be afraid to do their full and complete duty, and if cholera does not come, so much the better; we have the means there of protecting and defending his country from an invasion by other epidemics if they should come. Now this is more important because we are in connection with Japan and China almost directly; and they are great fever and filth centres, and from these we may expect to receive nearly every kind and description of epidemic disease into this country; and it is more imperative and important now than ever before—and I would ask the Government, on my own behalf and on behalf I believe of the people of this country, not only to understand their complete and full duty now, but to henceforth carry it into execution.

Hon. Mr. SULLIVAN—No more important question, I assume, can engage the attention of this House than the matter which has been submitted to us by the hon. gentleman, and which has been so ably expounded by him. The possible advent of that dreadful scourge, which is recognized generally as the most severe and fatal of all diseases, within a short time is sufficient to fill the whole of the people of this country with very grave apprehension. I will not attempt to go over the history which the hon. gentleman has so ably given you, and the information which I have no doubt will benefit you, concerning the disease, even to the extent of advising you to be careful when you are drinking water to put some antidote in it. Existing for centuries in India, this disease, strange to say, did not start on its devastating journey until a comparatively recent date. It has made six visitations to this country, and I am not aware that the disease has been mitigated to any extent. It is as virulent to-day as it was when it first made its appearance. The hon. gentleman has explained that it has been fully investigated by bacteriologists and that it originates from bacteria. It is unfortunate that that investigation has not resulted in the discovery of any means whereby we could check the disease. The necessity of guarding the public health is recognized by all civilized nations, but it is not always done. I know that in the United States this matter was not taken up, in the case of yellow fever, until 50,000 lives had been sacrificed and $100,000,000 worth of property lost; then a national board of health was formed in 1878 and 1879, and it had the effect of checking the yellow fever. It has not appeared there since. That board has been superseded by the course which the Americans intend to take with reference to cholera, of vesting all the power in the Secretary of the Treasury. A Bill for that purpose was introduced into the United States Senate and subsequently passed by the House. The public health, as you are aware, may be guarded by municipalities; it may be guarded by the provinces, and finally it may be guarded by the central authority. When these three bodies unite, then, indeed, it will be well guarded, and I see no reason why Canadians cannot be united on this occasion and thus provide superior means for checking the introduction of cholera into this country. The cold season has caused a lull in the disease, but not always does cold check cholera. The experience of the past goes to show that a temporary cessation of the epidemic does not give reason to hope that it will not make its appearance as usual again. Pursuing its ordinary course, we may expect to have it return in the course of travel. It is well known that the principal propagators of the disease are the great unwashed. Although Canada has not in the past done a great deal for the public health, I presume it was because of the healthiness of the inhabitants and that the necessity did not exist here to a large extent; still it is time now that Canada assumed a right position to gave this matter of public health more attention; and I take this opportunity of saying, not only on account of cholera but on account of any other epidemic, that a board could readily be established here at slight expense, which would be the means of disseminating a vast amount of useful information, a board which might have powers accorded to it that would enable it to be of great benefit to the country. Some time in the near future such a board ought to be established. I am not aware really what the Government propose to do or what they have done, but it is their duty, in order to relieve public apprehension and dispel any fears which people may have, to at once declare what is their intention and thus reassure the people. I think in that respect they can be greatly assisted by the neighbouring country and Great Britain. The United States have taken the greatest concern in this matter, and extraordinary powers have been vested in the Secretary of the Treasury, or the President. He has power to declare even non-intercourse and to order the disinfection of ships, the sanitation of ships, the isolation of patients and so on. The experience of New York in the epidemic of 1892 shows that the disease can be kept out, because you will remark no case of cholera occurred in New York of a secondary character. All were brought from abroad. By prompt interference the disease was checked, because there is a mode of detecting cholera by means of the bacteria, which are generated in enormous numbers in the intestines during the course of the disease. Even in the mildest form of it the presence of the disease can be detected, and then the greatest care should be taken to isolate it. This was done by a physician at the fort at New York in the case of a child attacked with cholera which no one thought was more than diarrhœa; on examination by microscopists it was found to be a case of cholera. The child was at once sent down to quarantine in the bay, and the result was that no other case occurred in the city. The medical profession of New York believe that they can guard the city effectually against the disease; but they are all in favour of what will strike you all as the correct thing, a national quarantine, a quarantine where, aided by the national and state authorities, there will be no conflict of opinions, no political squabbling, and no attempts to use this as a means of aggrandizement for individuals. I think you will see that they can take all the means which God has given them to resist the disease; therefore, I think that a national quarantine here would be the best method. The Government of this country, great and powerful as they are, I think are not above taking advice. I believe that the whole medical profession of this Dominion would, without hesitation, recommend them to have the assistance of scientific men, to consult with them as to the best method of keeping out cholera. In this way, I fancy, by the expenditure of a little money comparatively, this result could be secured, the people of this country would have their apprehensions laid at rest, and we would feel perfectly safe. It is said that dirt is the quartermaster of cholera; therefore, by strict cleanliness we can accomplish a good deal, and I do not disapprove, if it could be feasible, of the distribution of a small book with a few practical suggestions, among the people; but I hope that the necessity for such a course will never exist. There is no doubt, however, that cholera has the same virulence now that it had when it first made its appearance in this country. It has not abated one jot; and it is said that we are equally incapable of combatting it; that we have found no means to check or arrest it, once it has taken hold of the person. The hon. gentleman has mentioned that the province of Ontario takes a deep interest in this matter, and has a board of health established, and is very anxious to have as perfect means as possible to prevent the disease; but all the quarantines which existed here before have been effete, useless establishments, which should be swept away at once; the patching of them up will do more harm than good. The department that has charge of this matter will understand that they must adopt the most approved methods; it will not cost a great deal, but cost what it may, it would be well to make a beginning now, and not perpetuate the old effete system. I do not know any man who is adviser to the Government in that respect, or whether they take any advice, but I would recommend on this occasion that in the establishment of this quarantine the expense of it should not fall on the locality where the outbreak occurs. No one would think of making those people pay for it; but they will assist. The provincial and municipal authorities assisting, there is no doubt we will have as efficient means as any country in the world. The Americans will also aid them, I am satisfied. It is their interest to guard against the entrance of cholera into Canada, because it would easily pass the frontier into the United States. They have sent men to Europe to watch the disease there, and these men have the power of giving a certificate without which a vessel cannot be admitted to port. Now, we do not aim at anything of that kind, nor would I recommend such stringent measures as those; I do not think they are necessary, but in any case where the importation of cholera from abroad was anticipated we could use the British and American consul service and thus be able to treat the matter as well as they can. I thank the House for listening to these few remarks, and I am very glad the honourable gentleman postponed the debate to give me an opportunity of expressing my opinions.

Hon. Mr. POIRIER—Now that we have had the pleasure of listening to the remarks of two hon. gentlemen, members of the medical profession, I claim to be allowed to give the opinion of a layman on the same subject. You will all admit that the portion of the Dominion which is more directly threatened with the epidemic referred to in the motion, is the Lower Provinces,—the cities and ports on the Atlantic coast. I see by the motion that inquiry will be made of the Government as to what steps have been taken or what the Government intend to take to prevent the introduction of cholera into Canada. The hon. gentlemen, the medical men, who have spoken, have shown us the necessity of preventing the introduction of cholera; and one of them has been soothing enough to show that cholera is not at all a dangerous disease, so much so that out of 15,000 who caught the disease in England at one time only 15 died. That is all very encouraging, but I believe if we could prevent the 15,000 people getting cholera it would be the wisest method to commence with. You are all aware that we in the Lower Provinces are open the whole season of navigation to contagion from ships coming from the old country, but perhaps you are not aware of this fact that in the majority of our ports there are no medical inspectors. I rise simply to call the attention of the Government to this fact, that we have in the most of our ports no medical inspectors. Take the county of Digby for example ; from Yarmouth to Digby is a considerable distance, and there are five or six ports between these two points, yet there is not a medical inspector. I have had letters from several correspondents asking me to see the Government and endeavour to have medical men appointed there. On the Straits of Northumberland there is not one medical inspector. I firmly believe that the first step the Government should take is to appoint medical men at all the ports where vessels from Europe are likely to touch during the coming season. All those ports are open to navigation from abroad and ships come to load from England, France, Germany, Italy, Spain and even from the northerly coast of Africa ; that I am personally aware of. If we are threatened with the introduction of cholera, it is, in my opinion, not so much from the chartered lines of steam-ships as from those vessels which come to load with timber or make occasional voyages to our ports from the countries of Europe. There is greater danger of introducing the disease from such ships than from the regular liners, and I therefore urge upon the Government the necessity of appointing inspectors at those ports to see that every ship which comes from Europe or from American ports where the infection may be reported to exist, are free from the epidemic, and if necessary to enforce the quarantine regulations. I am not sufficiently familiar with the history of cholera to deal with the question of how it should be treated or otherwise prevented, but the point to which I have called attention has been brought to my notice by people who have written to me on the subject. I would ask the Minister to call the attention of the gentleman who represents the Minister of Marine and Fisheries in his absence to this important question, and request him to see that in the maritime provinces medical inspectors are appointed all along the coast to enforce the quarantine regulations whenever and wherever it may be necessary.

Hon. Mr. McINNES (B.C.)—I rise for the purpose of giving my unqualified support to the very able and patriotic remarks that have fallen from the hon. gentleman who has introduced this subject, and also what has been said by the hon. gentleman from Kingston. A few days ago I moved for certain papers and when the return is brought down I propose to deal at some length with the question of cholera, small-pox, yellow fever, and typhus fever. However I feel it my duty not to allow this discussion to close without expressing my unqualified approval of what has been so well and ably stated by those hon. gentleman to whom I have referred. I agree with the hon. gentleman from Kingston that cholera is just as virulent to-day as it was when it first made its appearance in Europe, and so far as I know there is no specific by which it can be cured, so far discovered. The medical profession, apart from sanitation, is almost as helpless as when cholera was first introduced into Europe. I also quite agree with him that while it is necessary that every precaution should be taken by municipalities, and local governments, it is the bounden duty of the Federal Government to organize such a board as will have the sole authority and control over all quarantine throughout the Dominion, and that they should not for a moment trust to any great extent to any local authorities or governments. I say that largely because of the sad experience we had in British Columbia during last summer when we were in a state of siege for nearly three months in Victoria, and largely so in Vancouver and New Westminster, owing to an epidemic of small-pox. It cost the city of Victoria alone over $60,000 to meet the expenses necessarily incurred in connection with that small-pox epidemic. I am sorry to say at the present time we have another visitation of small-pox from China. It appears to be almost impossible for a ship any more to come from China and Japan without carrying one or more case of small-pox. As I stated the other day, the Government have been so derelict as to allow our quarantine station—if I may dignify it by the term—to remain in its wretched condition for so long a time. It was worse than having nothing at all. It led us to trust to something which was of no value. I hope that the Government, late though it is in the day, will lose not one moment of time in erecting a new quarantine station at William Head and putting it in a most efficient condition, because it is not only small-pox that we have to dread but typhus fever, cholera and other contagious diseases. I claim that we are exposed to greater, if possible, danger from outbreaks of this kind than any of the eastern ports of the Dominion. A few days ago I drew the attention of the House to the fact that nine-tenths of all the shipping visiting the ports of Victoria, Vancouver and Nanaimo is foreign; whereas three-fourths of the shipping calling at the Eastern ports of Canada is British. Such being the case, I claim that we are more exposed on the Pacific Coast than the ports on the Atlantic Coast to the introduction of epidemics of the diseases mentioned, and I again urge upon the Government the importance of proceeding without delay to put the quarantine stations on the Pacific Coast in first-class condition.

Hon. Mr. SCOTT—We must all feel indebted to the hon. member from Welland and the hon. gentleman from Kingston for the interesting statements and excellent suggestions they have made on this subject. I rise to express my belief that these gentlemen are somewhat unduly alarmed. I should not like it to go abroad in this country that the mortality from cholera is as great, or the danger as imminent, as gentlemen of the medical profession seem to indicate. When cholera visited this country in 1832 the conditions were different entirely from what they are to-day. We have, happily, not only in Canada but in other parts of the Western world, made wonderful progress in learning and observing the laws of health. In 1832 cholera as a rule followed the tracks of the unfortunate emigrants who came to this country. Numbers of them stopped off at Quebec and Montreal, and necessarily disseminated cholera there as they did at other points where they stopped temporarily. I have a very distinct recollection of the cholera hospitals along the banks of the St. Lawrence when the emigrants came up in batteaux and barges on their way to the West. The unfortunate people were in a very low condition of vitality from the long passage across the Atlantic, the poor food, and other causes, and so succumbed very readily to the disease. The cholera did not spread far westward in this country: it was confined for the most part to the places where the emigrants went. Since then we have learned a great deal about cholera, more particularly during the last few years, and it has been very properly observed that cholera is one of those diseases which you must either eat or drink. In stating that I do not share the alarm of my medical friends, I would not for a moment desire to check any action that the Government of this country might take with a view to enlightening the people on the laws of sanitation. If they were not useful in keeping out cholera they would be useful in subduing very many other diseases, such as typhoid and diphtheria, which are quite as alarming as cholera and very apt to prove quite as serious. Not long ago there was a very serious outbreak of diphtheria in Toronto. Such outbreaks are very frequently occurring. Fortunately the people of Canada are feeling the necessity of adopting sanitary precautions. Whether the Government here would be sufficiently in touch with the people to educate them on the laws of sanitation, I cannot say. It is probably outside of their functions, though I would consider it an important matter. Their duty would be, I consider, to co-operate with the United States. If cholera visits this country, it must come from the other side of the Atlantic. It has been shown by the hon. member from Kingston that it can be kept out. We have had an illustration of it recently at New York where several ships were quarantined within gun-shot of the shore until cholera patients were removed and the disease was stamped out. As I have said, cholera is known to be a very different disease from what it was supposed to be when it visited this country sixty years ago. At that time, very many of the doctors, nurses and clergymen who were brought in contact with the cholera patients succumbed. To-day, you find in the well-regulated hospitals of Western Europe that nurses and doctors enjoy almost absolute immunity from cholera. You very rarely hear of one of them being attacked with the disease; so cholera is not contagious. It is, as I have said, one of those diseases that you must eat or drink. It is a disease which attacks the intestines. I wish our medical friends had given us, in popular phraseology, some better indication of what it is. As I understand it, the cholera germ attacks the mucous lining of the intestines and eats it off, and the consequence is that the serous blood flows through in consequence of the removal of the mucous lining. The discharge of serum blood, of course, means the washing out and discharge of the life forces of the body. The best method of preventing cholera is to keep it out. As you have either to eat it or drink it, so long as our foods and our drinks are wholesome and the air we breathe is pure, we not only escape cholera but every other disease. With reference to the treatment of cholera, I have noticed lately that a number of cases have been treated with great success at St. Petersburg, simply by washing internally as well as externally, with injections of soap and water—washing out the bacilli. In St. Petersburg they are constructing a hospital, and at the foot of each bed there are large douches where the soap and water flow from the douche and wash the intestines out. The medical man who first made the experiment in St. Petersburg or Moscow was given 25 cases to treat—all cases that had gone into the second stage, and I think the proportion of cures effected was 20 out of 25. We know that the proportion of deaths where cholera has passed into the second stage was in other epidemics 60, so it is a more fatal disease, where it finds a subject that is fitted for it, than those which have been mentioned, but I think there should be no cause for alarm in this country, because we have all improved our sanitation very greatly. It is the duty, of course, of all the cities, towns and villages to exercise more care and adopt greater sanitary precautions. I do not approve of the prescription that the hon. member from Kingston gives—to introduce a corrective into the water we drink. The conclusion I have arrived at from my reading is that those who avoid stimulants escape with immunity, and that the people who were cut down were those who indulged in stimulants.

Hon. Mr. ALMON—The Hindoos, among whom the greatest ravages have occurred, drink nothing but water.

Hon. Mr. SCOTT—The disease arises from filth, and if you eat a great deal of it, whether you take whiskey or not makes very little difference; but in adopting precautions against the disease, I unhesitatingly say, as far as my reading of the statistics goes, that persons who are known to be sober and avoid stimulants, are less liable to take the disease. As I said before, I think our Government ought to act in this matter in concert with the United States authorities, who have made arrangements to adopt very stringent quarantine regulations. They are exposed to cholera through the St. Lawrence, as we are exposed to cholera through United States ports, and on the Pacific we are mutually exposed in the same way, but I think if proper concerted action is taken by the Governments of the two countries there will be no great difficulty in keeping cholera out. At the same time, I think it is well to warn the people not only to avoid cholera, but to avoid other diseases as well—that it rests with themselves to say whether they will become fit subjects for attack or not. They ought, during the cholera season, to exercise greater care, to live correctly, to eat wholesome food, to see that the germs of disease are destroyed in both food and drink. Water is necessarily one of the principal avenues for the introduction of cholera—the germ is in the water. At Hamburg it was proved that the terrible devastation was due to the water they were drinking, but no one can say that the conditions there and in Canada are the same. Hamburg is a city where the filth of a thousand years is accumulated—a city with narrow streets, where many of the people are filthy in their habits, and where, through vice and poverty, a great many persons have lowered their vitality. We have no such city in Canada. I think there is no occasion for serious alarm if the ordinary precautions are taken to keep out the disease.

Hon. Mr. MACDONALD (B.C.)—The hon. member from Niagara, who brought forward this question, deserves the thanks of the House and of the country. We are anxious in British Columbia to know what the Government propose to do, not so much on account of cholera as of small-pox. Every steamer entering our ports now carries one or more cases of small-pox, and it is important that something should be done soon to protect our province from epidemics. I have no doubt the Minister of Agriculture is aware of the precautions that have been adopted by the steam-ship companies carrying passengers from Europe to America. All emigrants are detained and housed for a certain number of days and kept under strict medical supervision and examination before the departure of the steamer. At the end of the certain number of days those who are ill and not able to proceed are taken back, and those who are well are forwarded to their destination and again subjected to a very strict examination and perhaps to quarantine as well. I do not know what power our Government could exercise to induce the steam-ship companies on the Pacific coast to do anything of that kind, but if they are powerless in that way, self-interest might induce the companies to adopt such precautions as I have mentioned, because the loss of time and money by quarantine is very great, and they might avoid it by adopting some such course as I have mentioned. One of the great dangers lies at our very doors in the case of an epidemic—that is, imperfect sewerage and impure water. It is a lamentable fact that throughout this country all sewers drain into rivers and the masses of the people use the waters of those rivers without boiling or filtering, and take into their systems the germs of diphtheria, typhoid, scarlet fever and other diseases. It is well known that a cholera bacillus carried into a river soon breeds millions of germs and the water becomes contaminated. These are no doubt municipal matters, but the Dominion Government ought to act on the suggestion of the hon. gentleman from Niagara and issue a warning to municipalities and the people about drainage and about the necessity of boiling the water they use, to avoid an epidemic. There is a very able article in *The Forum*, by Sir Spencer Wells, dealing with the question of cholera. He mentions one instance which occurred in 1866, showing how the distribution of cholera poison occurred through the contamination of the waters of the River Lee by the discharges from some cholera patients. These patients had arrived at Southampton suffering from cholera in its early or latent stage. They were supposed to have recovered and were allowed to pass on to a cottage. They infected the river first and the district supplied by the water company afterwards, with the result that 16,000 people were attacked with cholera and 6,000 of them died. He also shows that a person who may leave an infected port in good health and cross the Atlantic, may carry the germs of the disease with him and spread it, and yet escape himself. All this goes to show the necessity of strict quarantine, and of fumigating and disinfecting. He says that that is the only remedy. Then he deals with the question of disposing of the bodies of those who die of cholera. He says that the clothing and the bodies should be cremated, that it is the only way to kill the germ. Burying the dead only spreads the disease, as the germ multiplies in the ground and may be dug up again. However, I am satisfied that our Government will take every precaution to prevent the introduction and spread of this dreaded epidemic.

Hon. Mr. KAULBACH—I do not rise to prolong the discussion, because I know very little about the germs of the disease and how they are propagated; but with regard to what fell from my hon. friend from New Westminster, with reference to the Government taking independent action in this matter, I think that whatever course may be pursued should be in concert with the towns, cities and municipalities of the country. If the Government were to undertake the matter alone, it would have a tendency to make the municipalities and local authorities generally indifferent. It is well to instruct the municipalities as to the best means of preventing the spread of cholera, small-pox, diphtheria and other diseases, but, if the Government act alone they will have less effect than if they secure the co-operation of all the authorities. It is too big a task for the Government to undertake alone. It has been stated here that fear has a tendency to increase the danger. I think, therefore, that the Government ought to act vigorously and that they should do so in co-operation with the different municipalities, instructing them as to the best means of keeping their towns in a good sanitary condition.

Hon. Mr. POWER—There is one reason why the discussion of this matter is peculiarly appropriate here: we have in the Senate the Minister who has control of the quarantine. I do not propose to discuss the general question of cholera at all; but I wish to say this—I hope the Minister will not take anything for granted, but that he will see for himself and will not be satisfied with reports from officers on the spot. There are two principal avenues through which cholera is likely to come into Canada during the present season. One is Halifax, a port to which regular lines of steamers come, and which is peculiarly a port of call for steamers in distress, and to which steamers in which disease breaks out, and which for that reason would probably not be brought to New York, would be likely to go. We shall probably have a number of steamers calling at Halifax with cholera cases during the coming season. The other point is Quebec. Unless I am very much mistaken—and my hon. colleague can inform the House if I am—the present preparations to deal with a large influx of cholera patients at Halifax are not at all what they ought to be. I may say further that a new-fangled machine for fumigating clothing which was sent down to Halifax has not in practice been found a success. This machine, which I understand is a pretty expensive one, was sent down to Halifax some weeks ago for the purpose of disinfecting the clothing of passengers arriving there and bound for western points. It was found that it destroyed not only the microbes, but the clothing too, and the officials have been obliged to fall back on some less modern and less destructive method of disinfecting. I know from gentlemen who crossed the ocean last summer in a steamer which was quarantined at Grosse Isle that there was great negligence on the part of the authorities who dealt with the steamer, and that passengers were allowed to proceed on their journeys who were not supposed to proceed, and of whose proceeding I presume the Minister of Agriculture knew nothing whatever. There is no use now in talking about going into questions of sanitation, looking after sewerage and that sort of thing. It is too late. The thing we have to do—the most urgent duty now, is to look after the quarantine. We know how effectual good quarantine was in New York last season, and it is the duty of the Government, and particularly of the Minister of Agriculture, to see that quarantine, particularly at these two points, Halifax and Quebec, is what it ought to be.

Hon. Mr. READ(Quinté)—And Victoria.

Hon. Mr. POWER—There is no cholera coming to Victoria as I understand. I am speaking now of cholera solely; and I say that the Minister should take nothing for granted—that he must see for himself, and get rid as far as possible of red tape and all these official trammels which in Canada seem to render the expenditure of money very much easier than the doing of any really valuable and practical work.

Hon. Mr. ALMON—I did not intend to speak on this question, but I must follow the senior member. With regard to the quarantine officer at Halifax, Dr. Wickwire, there could not be a more capable official.

Hon. Mr. POWER—I did not say a word against that officer.

Hon. Mr. ALMON—I think perhaps one difficulty, in former times, was that he had not good means of visiting the vessels. Now he has the use of a steam launch. The hon. gentleman from Welland spoke of a number of cases of cholera which were said to have been cured; perhaps they were not Asiatic cholera cases at all. When there is an epidemic of any kind raging, anything that resembles the prevalent disease is supposed to be a case of it. If during an epidemic of Asiatic cholera a person is seized with vomiting and diarrhœa, he thinks he has the cholera, and when it passes off he thinks he has been cured of cholera, and when people want to make out a favorable case for a particular mode of treatment, they refer to such instances. Will any one tell me what a disinfectant is? In old times, when the plague was rife (which was only an aggravated case of typhus fever), it was supposed that burning sugar on a shovel prevented the spread of the disease. When the cholera broke out in Halifax, in 1834, I was all through it, and I fancy I have seen more cases of cholera (perhaps I am presumptuous in saying so) than all the other members of the House put together. At that time there were 500 fatal cases in a population of 10,000. The first case was one that came from Quebec. I was a student at the time. I said, "How did you disinfect? I am told that burnt sugar is a good thing in a case of that kind;" and it was supposed that sulphuric acid on manganese, giving off oxygen, was a disinfectant. I will tell you what the municipality of Halifax did at one time. There was an outbreak of diphtheria. How did they prevent it? They put on the house a large placard, three or four feet long, which frightened people; nobody could pass without shivering. A constable was placed at the door, supposed to stay there 24 hours, and only the medical man was allowed to go in. I do not think the constable disinfected himself at all; I do not think he even washed his hands. I asked a member of the city council, "What about that constable? Is he not in danger of contracting the disease?"

He said, "My dear doctor, if you knew as much as I do about it—a policeman cannot catch anything." There was a good deal of truth in that, and therefore it saved a great deal of money; but the taxes were so high that they nearly drove the people out of the city. Still, for God's sake do not let the municipality catch cholera and put a constable at the door.

Hon. Mr. FERGUSON—Before the hon. gentleman replies to the inquiry, I desire to answer one or two things. In the first place, I think this discussion has done good so far, because we are not so much discouraged as when we started. One hon. gentleman commented on the fact of only fifteen patients dying out of 15,000; I may say with regard to that that I was simply reading the report of the British Board of Health on that subject, and I so explained to the hon. member from Halifax. I quite differ from the hon. gentleman from Ottawa when he states that our sanitation has been very much improved. We have not removed the filth from our towns and cities; we have simply displaced it from our back yards into the water which we drink. That is true of every town in Canada, except on the sea coast where the tide takes it away. In any city in Ontario or Quebec they pump the water out of the place where the sewage is deposited; so our sanitation is not much improved in that respect. A doubt has been thrown upon the whole question by the hon. member from Halifax who asks: "Who has seen the microbe"? I have not seen it, but the medical world have seen it and are satisfied as to its existence. Koch, the great bacteriologist, and others have seen it and have actually grown and cultivated these microbes upon gelatine plates; and it is positively and absolutely known now what the cholera bacillus is. There is no doubt about it; they perfectly understand the whole subject, and as the hon. gentleman from Kingston has said, they have no method of dealing with it except by closing the door against it and cleansing the country.

Hon. Mr. ANGERS—I must express my great satisfaction with the spirit in which the professional men in this House have treated this question. They have dealt with it in the proper spirit. When I first read the notice given by the hon. member for Welland, I was afraid that a discussion here might lead to a panic; but, on the contrary, the speeches of the medical men who have spoken upon this subject have had a reassuring effect. My own belief is that cholera is not such a foe now as it was in 1832, in 1849 or in 1854. Science has changed the nature of our defence. At that time we did not know how we took the disease. It was believed that by simply going near a person suffering from cholera you might catch the infection, and often the sick were deserted in lonely houses and even on the street. It was also believed then that contagion was floating in the air, that the disease went from place to place of its own motion. Now, science has taught us that it is a germ that you may take into your system with your food or your beverage, and that you can guard against it by eating wholesome, properly prepared food and drinking pure water. If you drink water that has been boiled it cannot contain a living germ. But it must not be understood that this water may be laid aside, and that, provided it has been boiled once, it is pure for ever and that there is no danger of its again receiving and propagating the germ; because I think that in water, milk, fruit and all those substances, the germ propagates with the greatest facility. Now there is to be no panic in the country, and the medical men have told you that fear has upon men a certain influence leading to cholera, if I may be allowed to express myself in that way. It weakens in us certain organs upon which cholera operates most actively; and if you have cholera and are frightened, you have less chance of recovery than if you understand what the disease is and know that you are within a curable distance. Therefore, it is most important that there should be no panic; and I do not consider this disease, cholera, as being nearly as dangerous as small-pox, scarlatina, or diphtheria which are all highly contagious diseases. Diphtheria is communicated by emanations from the mouth which may dry in a room and then float in the air. Small-pox you can take by the simple touch; Scarlatina is a disease which is carried in the air from the small pellicles of the skin that float about when the patient is recovering. I say that cholera is not so contagious as those diseases that I have mentioned. It is transmitted by the emanations of the sick. It may be also transmittible by their clothes and rags; therefore, in dealing with all things, passengers or goods coming from an infected place, the greatest care and attention must be paid to the quarantine; and the Government has decided to establish a perfect quarantine system at all the entry ports in the Dominion. The disease may come to us by way of Halifax, Quebec or St. John. Those are the three most exposed stations. The hon. member for Shediac has pointed out that there are also other ports through which the disease may enter. It is true, but as we have provided for the main stations, we also intend to provide for the secondary stations, and all those ports which are called seconddary, such as Sydney, Chatham, Pictou, Charlottetown and other minor quarantine stations, will be fitted out with sufficient appliances for the class of vessels calling at those places. Such harbours are visited by merchant ships, which do not, as a rule, carry passengers, or carry very few, and the crew is limited to fifteen or twenty men on the large sailing vessels. The precautions to be taken there are very plain. The vessel must be inspected. First of all we must ascertain if the people on the ship are healthy. If there is a very serious disease, it cannot be dealt with there. It is impossible that the Government could provide sufficient hospital accommodation, medical men and appliances, to treat cholera at every seaport of the Dominion; consequently, the rule will be that should a vessel having on board persons suffering from any dangerous disease, by accident arrive in one of those secondary stations, it must immediately be sent to one of the main stations where the disease can be properly treated, and the crew taken care of. At such a station an ordinary merchant ship can be cleansed, and the clothes of the men can be purified. If the purifying process should spoil the clothing, the cheapest way, I believe, is to burn the clothes and buy others, which cost from $8 to $10 per man; and as to purifying the ship, which is always an open vessel, sulphur is the substance acknowledged to be most effective in destroying the germs. I have stated what the Government intend to do at these minor stations. I will now state what they propose to do at the large ports where the danger is greatest, such as Grosse Isle, Halifax and St. John—St. John and Halifax only at this time of the year, and the early spring. But the moment the navigation of the St. Lawrence is fully open, the great danger will be at Grosse Isle, because every steamer carrying immigrants comes to that station. We have provided for the erection of detention buildings, for disinfecting appliances, for refitting and completing hospital and other buildings, and for improving the water supply. The disinfecting appliances consist of three large steam disinfecters, di-oxide blast, and mercuric drench—these appliances are to purify the ships and baggage. The ships are to be disinfected by a blast which will force the sulphuric fumes all through the vessel, which is acknowledged to be one of the safest modes of destroying the germs. A new building is being put up there for detention for first and second class passengers. You may have heard a great deal concerning the harsh way the passengers, healthy and suspected, were treated in New York last year. We intend to give the sick all necessary comfort and to treat the healthy people in a no less humane way, and consequently we will erect buildings for the detention of immigrants and passengers who are not infected by the disease, but only suspected, to keep them apart; and such buildings are to be put up at Halifax, St. John, Quebec and British Columbia. In each of these stations the appliances that I have mentioned will also be established. The vote in the Estimates for the putting up of the stations in British Columbia is $62,000, providing for new grounds, water supply, suitable buildings for hospital and detention purposes, and residence for the physician, and another sum of $35,000 for a deep-water wharf, and this will be at Williams Head, where a vessel can lie at any time without being interfered with by wind or gale, or with the easterly winds that prevail at Albert's Head, where a vessel could not lie. Wharfs are also to be provided for at St. John and Halifax. A question arose whether there should not be a wharf at Grosse Isle. The opinion of mariners was taken upon the subject, and the last information the Government got upon the matter was that a wharf, if accessible, would be very useful indeed. You could land passengers and baggage, and disinfect vessels much quicker alongside of the wharf; but the seamen and the pilots of the St. Lawrence tell you that this wharf will not be accessible; you cannot reach it at night; you can hardly reach it in the daytime. There is a reef projecting from Ste. Marguerite Island at the east, and nearly opposite where the wharf would be there is a sand bank and shoal which would make access to the wharf very difficult; and, moreover, after spending $150,000 to build this wharf, you would not have a sufficient depth of water to float large steamers; you require at least 27 feet at low water so that dredging would be necessary. The gentlemen interested in the steam-ship traffic of this country came to the conclusion that the wharf could not be used to advantage, and that it was sufficient to provide the necessary tenders to remove the passengers, baggage and goods with lighters, if necessary, and also to have upon them the necessary appliances to purify the vessels. Now that is only dealing with one portion of the subject. So far, we have not gone beyond the seaboard. That is where the main danger is; and I am glad to see that everybody understands it, and that the Government has given to that part of the subject the utmost attention; the sea coast is where we are to guard first and above all. But should cholera break through this barrier, either through the quarantine in Canada or through the quarantine in the United States, it might spread over the country. We are face to face with a land boundary of over 3,000 miles, with at least fifty ports of entry. I think that I am very much below the figure, because there are more ways of communication between the United States and Canada than fifty ports. The country will understand that it is impossible to establish an effective quarantine at all those ports of entry, and therefore we are brought face to face with the question—what is the duty of the Government and the duty of the people who want to be protected, in limiting the number of these ports of entry? I give this honourable House the assurance that whenever the Government find it necessary to protect such ports of entry, they will establish there as effective a quarantine as there is at the seaports. It is most difficult to protect the frontier; universal experience proves that land quarantines are always more difficult of effective enforcement than maritime quarantines. In the event of cholera gaining a foothold in the United States this year, the department will take the following steps to prevent its introduction, by railway communication, into Canada: first, an efficient medical inspection will be made at certain ports of entry into Canada from the United States, and a certificate of disinfection exacted. At those points of entry reasonable accommodation will be provided for detention purposes, railway cars could be fitted up for the disinfection by steam and sulphur fumes of the clothing and baggage of infected or suspected persons, and bi-chlorate of mercury drench could be used for such articles as could not be disinfected without damage by steam. Now that is the utmost that it is possible for any Government to do with a frontier stretching from the Atlantic to the Pacific, across a continent, of over 3,000 miles. I wish to come to another part of the subject. We have heard very wise recommendations made as to cleanliness, the purity of the water, and the necessary care that is to be taken about the household. I hope this honourable House will not make a mistake upon this point as to the limits of the authority of the Dominion Government in that relation. By the British North America Act the Dominion Government is empowered to legislate on matters of quarantine and marine hospitals: by the law, we are the guardians of the ports of entry into the Dominion, but beyond that all other powers rest with the local governments and the municipalities. It is for them to deal with the cities, towns, villages, houses, and hospitals within the country. I have the satisfaction of announcing to the Senate that after an interview, which has taken place in the Department of Agriculture here with delegates from British Columbia, from the Territories, from Ontario, from the Lower Provinces and Quebec, I am convinced that those gentlemen fully understand their duties and their obligations and that they will fulfil them to the utmost and that there is no fear of any friction between the Dominion authorities and the local boards. The hon. member from Welland made a very wise and practical suggestion—that a pamphlet should be published, showing the people what they should do—first not to take the cholera, and second how they are to treat themselves, or be treated, when they think they have symptoms of it. That question I think is not within our jurisdiction: it is a municipal matter—the prescribing how the houses are to be kept, the water to be boiled, the food cooked, and when it should be used. Last year when there was a fear of the introduction of cholera into the country, the Board of Health in the province of Quebec immediately issued a circular warning the people and advising them what was best to be done under the circumstances. However, if the idea prevails that the Government should issue such a pamphlet, I am willing to give the subject all my attention and all possible assistance. It has been stated that certain quarantine regulations should be imposed upon passengers coming from Asia to Canada. The hon. gentleman who made the suggestion—which is a very good one—will understand that it is impossible for this country to impose such a quarantine abroad, but I am convinced that self-interest will lead the steam-ship companies to exact certificates from passengers should they come from Asia, where there is nearly always some contagious disease prevailing, such as small-pox, cholera, or some malignant fever. It is in their own interest that they should do so, and I have lately had conversations with a representative of one of them, Mr. Shaughnessy, vice-president of the Canadian Pacific Railway, who gave me to understand that they were adopting most rigorous precautions—that it was their own interest that their ships should be looked upon as healthy if they wished to establish a traffic and secure a paying passenger business. I hope I have reassured the House that all necessary precautions are being taken by the Government. I trust that upon this point there will be no undue excitement or alarm, and that it will not go abroad that we are threatened by an enemy against which we have no arms and no munitions.

HOLIDAYS LAW AMENDMENT BILL

SECOND READING.

Hon. Mr. ANGERS moved the second reading of Bill (N) "An Act to amend the law relating to holidays." He said: The holidays mentioned in this Bill were adopted by the Dominion Parliament because they were holidays in the province of Quebec. Lately they have, in the province of Quebec, dispensed with them, and a Bill has been introduced removing those days from the list of holidays. It is proposed here to assimilate the law by doing away with Annunciation, Corpus Christi and the festival of St. Peter and St. Paul. When the Bill goes into Committee of the Whole, I propose to amend the last phrase of it. I think it would be more appropriate to make a specific amendment to the law by stating the statutes which it will affect and the sections intended to be repealed.

Hon. Mr. ALMON—I am too good a follower of the leader of the House to oppose any amendment to the Bill, but I propose to offer an amendment in Committee of the Whole to provide that the Dominion Thanksgiving Day be always held on a Sunday. My reasons are these: What did the Thanksgiving holiday originate from? Is it British, is it Catholic or Protestant? No, it is an American institution got up by the Pilgrim Fathers to do away with love of the old country and the festival of the Christmas holidays. The Puritans left England at a time when they suffered from persecution in the reign of Charles the First. They suffered so much from persecution, that when they got to America they refused to let a Quaker live amongst them—they persecuted Quakers, Episcopalians and Baptists, and they established Thanksgiving Day. No one is more thankful than I am to the Almighty for the benefits we enjoy. Cholera may come here and desolate our people, and yet we are expected to observe the proclamation of the Governor-General and thank God for it. I know we are such miserable sinners that we should be thankful for the few mercies given to us, but I do not think there is much giving of thanks on the holiday called Thanksgiving Day. What takes place on that holiday? The poor are deprived of a day's labour, and have nothing to do but loaf about. Many of them are Roman Catholics, who do not believe that the Government have a right to tell them on what day they should go to church or not. In England, where there is an established church, it may be the case, but I feel a thrill go over me when the Governor-General proclaims that I should go to church on a week day. I do not believe that the injunction of the fourth commandment has anything to do with our Sunday, but if it has, the same commandment which says that I shall rest on the seventh day, says also that I shall labour on the other six days of the week, and by proclamation you make the people break the fourth commandment—for what? To comply with an old Puritan custom. How many people go to church on Thanksgiving Day? Very few. Is it not a day devoted to gluttony and to horse-racing and kindred amusements? It is bosh, a sham and a humbug and ought to be done away with. To say that it is doing God a service, is a piece of hypocrisy and humbug.

Hon. Mr. KAULBACH—I think the hon. gentleman from Halifax has slandered Nova Scotia when he says that Thanksgiving Day is not observed there. In Lunenburg I know it is observed as religiously and with as great zeal and earnestness as Sunday is kept. Probably where the hon. gentleman comes from it is different, but elsewhere throughout the province it is a day on which people offer up thanks and praise for the benefits conferred upon them.

Hon. Mr. ALMON—I think the only difference in the way Thanksgiving Day is observed in Lunenburg and Halifax is this: in Halifax we have gluttony, and give ourselves indigestion on turkey and plum pudding, and we think we are doing God a service; in Lunenburg, it is simply a day devoted to sauer-kraut and cabbage.

Hon. Mr. ANGERS—I would ask the junior member from Halifax not to press his amendment. Dominion Day is not a Thanksgiving Day but a national holiday. Thanksgiving Day is fixed by proclamation by the different provinces. Generally the provinces have the same day that is fixed by the Dominion. It is in the fall of the year when the granaries are full and people are most inclined to be thankful for the blessings they enjoy. Dominion Day is a holiday of a different character—a day on which people go into the country, or attend national gatherings or address the people in favour of the institutions of the country.

Hon. Mr. ALMON—I did not say that Dominion Day should not be kept. I say that Thanksgiving Day should not be observed. I have often noticed in the practice of my profession poor people shivering over their scanty fires and complaining of not being allowed to work on Thanksgiving Day. I have been told by one of them, "I would not keep the day, because it is against my conscience to do so, but my employer did. If I had been allowed to work I would have earned something and been more thankful than I feel now."

The motion was agreed to, and the Bill was read the second time.

BANK ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. ANGERS moved the second reading of Bill (I) "An Act to correct a clerical error in the Bank Act." He said: The object of this Bill is to correct a clerical error in the French edition of the Statutes. The year 1891 is mentioned instead of 1901 as the year in which the charters of the banks expire.

The motion was agreed to, and the Bill was read the second time.

MILITIA LAND GRANT BILL.

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (G) "An Act to make further provision respecting grants of land to members of the Militia force on active service in the North-west." He said: The object of the Bill is simply to extend the time for granting land warrants to those who served during the troubles of 1885. Many of the claims were before the Department of Justice, but were not adjudicated upon or examined until it was too late to issue the warrants before the 31st December last, and this is simply to extend the time for the granting of these land warrants until the 31st of next December.

The motion was agreed to, and the Bill was read the second time.

BILLS INTRODUCED.

Bill (15) "An Act to incorporate the Dominion Burglar Guarantee Company (limited)." (Mr. McMillan.)

Bill (19) "An Act respecting the Hamilton Provident and Loan Society." (Mr. MacInnes, Burlington.)

The Senate adjourned at 6 o'clock.

THE SENATE.

Ottawa, Tuesday, February 28th, 1893.

The SPEAKER took the Chair at 3 p.m.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (L) "An Act to consolidate and amend certain Acts relating to the Manitoba and North-western Railway Company of Canada."—(Mr. Lougheed.)

CUSTOM-HOUSE EMPLOYEES OF MONTREAL.

MOTION.

Hon. Mr. BELLEROSE moved:

That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will cause to be laid before this House, a list giving the names of all persons employed permanently or temporarily at the Custom-house at Montreal, on the first day of January, 1868, also, a similar list of those so employed on the first of January ultimo, with, in both cases, their ages, nationality, religion, salary, occupation and date of appointment.

He said: It is only within a few days that I have come to the conclusion that it is my duty to bring this matter before the House. Until lately, I had always believed that the people of Montreal were quite able to look after themselves, and see that they were treated fairly in the Government appointments in that city. Having occasion to frequently visit Montreal, I have noticed that the representatives of that city are always anxious to secure the French vote, and I supposed that this recognition of the importance of the French element would lead them to do justice to them. During the last recess I had occasion to pass through Montreal several times, and I heard numerous complaints on the subject to which I am now calling attention. Wherever I met people, in the streets, at their residences, at the banks, I heard complaints that the Government was unjust in its treatment of the majority in Montreal. I did not credit these statements, for the very good reason that I knew nothing about the matter—I had never looked into it, believing that the representatives of the city were prepared to do their duty. I heard the statement that an Englishmen was to succeed the late Mr. Ryan. For many years the office has been fillled by Englishmen, and it would seem that amongst the French majority nobody was considered fit for the position of collector of customs. I thought I would look into the matter on returning to Ottawa. On my arrival here, after the recess on the 21st instant, I sent for the blue books and examined them. Then I was forced to the conclusion that the complaints to which I have referred were well founded. As to the last case—the appointment of a collector—I do not know whether the complaints are justified or not, as the Government have not made the appointment yet. According to the last census, the French element in the city of Montreal is largely in the majority. I believe the French population number two-thirds or more, but it is enough for my argument to say that they are in the majority. I find that at the Montreal custom-house there are 109 officials belonging to the permanent service. Of these 69 are English-speaking and 40 are French. The English-speaking officials receive in salaries about $51,000 and the French $23,000. Now, I say that it is not right that the majority of the people should have such a small proportion of the offices and salaries. Of temporary officials, I find that there are 103, of whom 71 are English-speaking and 32 French. The English-speaking officers receive in round numbers $31,000; the French-speaking officers, $11,000. Of ordinary labourers there are 26, of whom 18 speak English and eight French, so that in round numbers there are 176 English-speaking officials and only eighty-eight French-speaking—that is, one-third of the employees are of French origin in a city where two-thirds of the people are of that race, and the salaries are in about the same proportion. Now I say that is not right. I do not like to touch this question, but I feel it my duty to do so. The Government should conduct public affairs in such a manner as not to compel the minority to bring up this question and ask to be allowed to earn their bread. I might point to the example which the province of Quebec sets to the Dominion. Only eight days ago a proposition to abolish the Legislative Council of that province was brought up by an English-speaking member of the Legislature, Mr. Cook. He said that although the Legislative Council had been created for the protection of the English-speaking minority of the province, it was not necessary—that they did not want such protection—that no protection was needed from the French majority. Could the French minority here say that at Ottawa? No, but we could have said it at any time before Confederation. Things were managed a good deal better then than they are now. At the time of Confederation considerable objections were urged against the movement on the ground that the English-speaking minority in Quebec would not receive fair play from the majority. Those who raised these objections wanted a legislative union and why?—Because, they said they would be in the majority, while under Confederation, in the province of Quebec, they would be in the hands of the French. Let me quote from the Confederation Debates what one of their representatives, Hon. Mr. Rose, afterwards Sir John Rose, had to say on this subject:—

> With reference to this subject, I think that I, and those have acted with me—the English-speaking members from Lower Canada—may in some degree congratulate ourselves as having brought about a state of feeling between the two races in this section of the province which has produced some good effect. (Hear, hear.) There has been ever since the time of the union, I am happy to say—and that everybody knows it who has any experience in Lower Canada—a cordial understanding and friendly feeling between the two nationalities, which has produced the happiest results. Belonging to different races and professing a different faith, we live near each other; we come in contact and mix with each other, and we respect each other; we do not trench upon the rights of each other; we have not had those religious party differences which two races, speaking different languages and holding different religious beliefs, might be supposed to have had; and it is a matter of sincere gratification to us, I say, that this state of things has existed and is now found amongst us. (Hear, hear.) But if instead of this mutual confidence; if, instead of the English-speaking minority placing trust in the French majority, in the local legislature, and the French minority placing the same trust in the English majority in the general legislature, no feeling existed, how could the scheme of Confederation be made to work successfully. (Hear, hear.) I think it cannot be denied that there is the utmost confidence on both sides; I feel assured that our confidence in the majority in the local government will not be misplaced, and I earnestly trust that the confidence they repose in us in the federal legislature will not be abused. (Hear, hear.) I hope that this mutual yielding of confidence will make us both act in a high minded and sensitive manner when the rights of either side are called in question—if ever they should be called in question in the respective legislatures. This is an era in the history of both races—the earnest plighting of each other's faith as they embrace the scheme. It is remarkable that both should place such entire confidence in one another; and in future ages our posterity on both sides will be able to point with pride to the period when the two races had such reliance the one on the other as that each was willing to trust its safety and interest to the honour of the other. (Hear hear.) This mutual confidence has not been brought about by an ephemeral or spasmodic desire for change on the part of either; it is the result of the knowledge each race possesses of the character of the other, and of the respect each entertains for the other. (Hear, hear.) It is because we have learned to respect each other's motives, and have been made to feel by experience that neither must be aggressive and that the interests of the one are safe in the keeping of the other. And I think I may fairly appeal to the President of the Council that if, during the ten years in which he has agitated the question of representation by population, we, the English in Lower Canada, had listened to his appeals,—appeals that he has persistently made with all the earnestness and vigour of his nature—if we had not turned a deaf ear to them, but had gone with those of our own race and our own faith, the people of Upper Canada, who demanded this change, where, I would ask him, would have been our union to-day? Would not a feeling of distrust have been established between the French and English races in the community, that would have rendered even the fair consideration of it utterly impracticable? (Hear, hear.) Would the French have in that case been ready now to trust themselves in the general legislature, or the English in the Local Legislature in Lower Canada? No; and I pray God that this mutual confidence between two races which have so high and noble a work to do on this continent, who are menaced by a common danger and actuated by a common interest, may continue for all time to come. I pray that it may not be interrupted or destroyed by any act of either party: and I trust that each may continue to feel assured that if at any time hereafter circumstances should arise calculated to infringe upon the rights of either, it will be sufficient to say, in order to prevent any aggression of this kind: "We trusted each other when we entered the union; we felt then that our rights would be sacred with you, and our honour and good faith and integrity are pledged in the maintenance of them." (Hear, hear.) I believe that this is an era in our history to which in after ages our children may appeal with pride, and that if there should be any intention on either side to aggress on the other, the recollection that each trusted to the honour of the other will prevent that intention being carried out. I feel that we have no reason as the minority to fear aggressions on the part of the majority. We feel that in the past we have an earnest of what we may reasonably expect the future relations between the two races to be.

What has been the consequence of this liberality on the part of the majority in our province? Under our laws the English minority of the province have the right to an English-speaking superintendent of education. Nevertheless, they refuse to act upon their rights: they say they can trust to the liberality of the French majority, and that they have always received justice at the hands of the French superintendent of education. I would be happy to-day if I could congratulate the Parliament of Canada on the existence of such a spirit in this body, but I could not do so without stating what was untrue. It would be false to say that we have a fair proportion of the appointments to public offices. I do not mean to say that we must have exactly the same proportion of appointments that our people bear to the whole population of the Dominion, but I say it should be something approaching that proportion. I would not object to having less than our right proportion in the city of Montreal, if the deficiency were made up in some other part of the Dominion. I have shown that in the Custom-house in Montreal we are not fairly treated—that we have not got our fair proportion of the patronage: if the Government can show that we have more than our right in other departments, they should do so.

Hon. Mr. READ (Quinté)—That is very easily done.

Hon. Mr. BELLEROSE—It is not easily done, because the figures are before the public and show the contrary. The French race are about one-third of the population of the Dominion, yet we have only one-sixth of the appointments. I do not care what calculations are made to prove the contrary: I was shown a calculation of that kind this morning and I can simply say that it was either dishonest or stupid. In Montreal, a paper which is very aggressive tried to show that we had more patronage than we were entitled to. How did they do so? By comparing the offices held by Protestants and Catholics. Now, I am not speaking of religious denominations—I am speaking of nationalities, and of the right of the French population of Canada to a fair share of the public patronage. That is the least that we have a right to expect, in view of the liberal treatment that we extend to the English-speaking minority in our province. If you look at the official returns, you will see that the English-speaking population of Quebec has more offices than it is entitled to by its numbers; but our leaders say "majorities are strong and ought to rely on their strength, and try to do more than justice to the minority, so that they may feel that they are well treated." This is the way we act in Quebec. Why is it that the contrary is the case here? I know it is often said "let us have no more French or English—let us all be Canadians." Well, we of Quebec are ready. We do not claim to be French; we are Canadians. If the injustice were confined to the customs offices in Montreal, I could understand that it was accidental; but I find it is the same in every Government office in that city. The same principle is carried throughout, and it looks as if the Government were acting on a settled policy. It is that of which I complain. To show that it is a regular rule, let me refer you to the condition of affairs at Quebec. It is well known that Quebec is a French city, yet in the custom-house there you will find about the same thing that we complain of in Montreal. Formerly, the collector of customs at Quebec was a French-Canadian: now he is an Englishman and his assistant is also English. Take Sherbrooke, where the French outnumber the English two or three to one, and again we find the collector of customs is English. I have looked through the figures and I find that it is about the same everywhere. At Quebec, Mr. Blanchet, the collector of customs, was replaced by Mr. Forsyth, but we never complained. In Montreal, Mr. Delisle was collector of customs, forty or fifty years ago. When he died an Englishman was appointed; he was succeeded by another Englishman, and he again by another. Who will fill the office next? An Englishman, if rumour be true. Now, is that right? I ask any man whether it is fair to the French population? It is quite evident that there is a fixed determination to keep French Canadians out of office. It is a knowledge of these facts that has led me to bring this matter before the House. Although I do not represent Montreal, I am an elector there. I am not only a citizen of the province of Quebec, but I am a representative of the Dominion in this House, and especially of the province of Quebec, and I am only doing what I conceive to be my duty in bringing up this matter. If others are here for their own pleasure or advantage, I feel that I am here for something else. I am here to see that justice is done to every man, irrespective of his creed or nationality. I found that others neglected to take up this matter, and I felt bound in honour and conscience to discharge the duty which they have overlooked. It is repugnant to me, because I dislike to bring up this matter so often, but when I see my duty clearly before me I do not seek to do merely what I like best, but what I believe and know to be right.

Hon Mr. PROWSE—It is rather unfortunate that such a question as the one introduced by the hon. member from Delanaudière should he discussed in this House. I have no doubt at all that had this question been brought before the Government in a quiet, private way, the influence of the French nationality would have been quite sufficient to secure justice for that race in the Civil Service of this country. I would have thought also that the hon. gentleman, before taking up the complaint in reference to the comparatively distant city of Montreal, would have looked closer to home, and endeavoured to correct the same fault which must be apparent to him here every day. We find in this very Chamber that every office on the floor of the House, and even extending beyond the chamber to the post office, is occupied by a gentleman of the French nationality; and I do not think there has been any word of complaint by the majority who belong to other races. It would be a great injustice for us to take up this matter at the present time in reference to the city of Montreal, or any other city, and say to officials who are not of French extraction "you must make room for other men, because we must have fairly balanced nationalities in public offices." I think it would be a very unjust thing; but I would say this, that as vacancies occur it becomes a strong argument in favour of those not represented in these positions that they should have their friends placed there to fill up vacancies as they occur. In this chamber there has been no agitation and no demand made for an English-speaking clerk since the death of our late lamented Mr. Adamson; but I take it for granted that when a vacancy occurs—which I hope will be a long time hence—the Government will see their way to placing an English-speaking clerk at our table and in other offices where there are none now. It is most unfortunate for Canada that this question, and questions of a similar nature, should be discussed in our legislative halls. It is not calculated to bring about that friendship which should exist between all nationalities in this chamber. The English people have their national feeling; the Scotch people also have their national sentiment; the Irish, the Germans and the Dutch have each their national feeling, as well as our French-Canadian friends; and I say that if we wish to build this Canada of ours into a strong patriotic nation, we must endeavour as far as possible to bury national prejudices and unite for the common good.

Hon. Mr. BOWELL—Before this motion is put, I have a few words to say, more particularly as the remarks made by the hon. gentleman who proposed the motion refer to a department over which I have had the honour to preside for some thirteen or fourteen years: therefore, I may be excused if I refer very briefly to some of his statements. Hon. gentlemen will understand that in all filling of positions in the outside service the Minister must necessarily, as a rule, take the advice of those who represent the constituency: and I am quite satisfied that if the hon. gentleman had paid a little closer attention to the positions of the officials in the customs in Montreal at the present time, he would not have made the complaint to which we have listened in reference to the relative positions held by the different nationalities. I fully accord with the remarks made by the hon. gentleman from Prince Edward Island who has just spoken, deprecating the introduction of questions of nationality or of religion in our legislative halls. However, if a minority of either class of people, whether religious or national, feel that they have not been fairly treated, I do not say that it is improper that these grievances should be brought to the notice of the Government and that justice should be done, if any injustice is found to exist. I think that I can appeal to some of the gentlemen of the same nationality as my hon. friend who made this motion, that so far as my administration of the affairs of the customs for some thirteen or fourteen years was concerned, where I thought an inequality existed, and opportunities presented themselves, without turning men out of office who had been appointed long before I assumed the responsibility, I took good care when these vacancies did occur that the nationality of the people who thought they had been aggrieved was not forgotten. Now during the last year of my tenure of office as Minister of Customs a large number of changes were made in the city of Montreal. I can make the same explanation here that I made in the Lower House when this question came under discussion. There were several old officials who had been appointed long before this Governement came into power, and whose age unfitted them for the due performance of the work allotted to them. They were, to a large extent, English-speaking people, and in the superannuation no new appointment was made from the outside service, but the next in order received his promotion, and if you look at the status of these officers to-day you will find that a French gentleman was promoted to the highest position under the collector—that is the surveyor of customs—who can by gradation rise to a $2,500 per annum salary; you will find that he is a French gentleman and that he succeeded a Scotchman. If you take the cashier, who was superannuated on account of age and infirmity, you will see that I promoted a French gentleman to his position, simply because he was next in order, to use a common expression, and that he deserved his promotion. The chief clerkship is also in the same position, as are a number of other offices. I have the civil list under my hand and it shows that I have pursued precisely the same course, but I never asked the question as to whether the man who was under the chief of that particular branch at the time was French, Irish, English or Scotch; but when I found that he was entitled to promotion, that his services and his character and assiduity in the performance of his duties justified it, he was promoted; and that is the course that has been pursued continuously in the administration of the department. I have in my office a statement of the principal offices in the city of Montreal and by whom they are filled. If the hon. gentleman will refer to it, he will find that nearly nine out of ten of the principal offices are filled by gentlemen of his race. I do not say that they should not be there. Most of them entered the service at a low grade and a small salary and gradually reached the top by promotion. Now, I am not prepared to say what will be the action of the Government in filling the position which has unfortunately been rendered vacant through the death of the late collector, who, as every one knows, was incapable of doing a wrong act to any class of people, no matter what their religion or nationality might be. I am not at present prepared to say who may be his successor, but I think the hon. gentleman stepped a little beyond the mark when he enumerated so many Englishmen who had filled the position after the death of Mr. Delisle. Mr. Delisle was succeeded by Mr. Simpson, the old collector formerly appointed in Kingston. I am speaking from memory now, and if I am incorrect I shall be glad to be corrected by any gentleman who may be listening to me. Mr. Simpson was succeeded by Mr. Ryan. Now these are the collectors within my recollection since the time Mr. Delisle occupied the position. It is quite true also that Mr. Blanchet was succeeded by Mr. Forsyth, and perhaps it may be gratifying to my hon. friend to know that those who were most ardent in the recommendation, and in impressing upon the Government the propriety of that appointment were gentlemen of his own race, including the representatives from that section of the country; but it must be remembered that Mr. Blanchet, whom we all know, succeeded Mr. Dunscombe, who was an Englishman. However, I make the statement—and I say it in all truthfulness—that the late Hon. Mr. Blanchet was not appointed to that position because he belonged to the French race. He was appointed in consideration of the great services which he had rendered to the Conservative party for a quarter of a century, and I think that that is the ground upon which appointments of that kind should be made, without reference to nationality. My hon. friend also referred to Sherbrooke; well Mr. Currie, the collector at Sherbrooke, was appointed in 1871 at a time when my hon. friend will admit that the great majority of the inhabitants of that city were of the English-speaking people; but by reason of the introduction of manufactures (and perhaps this reason may not be appreciated by some hon. gentlemen who have listened to me) and the extent to which they have been carried since the national or protective policy has been inaugurated in this country, attracted to that city a large number of the French habitants who go there to seek work—and I am glad of it—instead of going over to Massachusetts or some other place in the United States. I only wish in others of our cities the manufacturing establishments would increase to such an extent as to afford employment for all those who desire to leave their farms and become citizens. Now I am not going to refer to the question of the relative numbers in Montreal, which my hon. friend has spoken of, because I am not prepared to do so; but with reference to the extra officials, they are all paid the same per diem. I am not in a position to say now that the hon. gentleman's statement in reference to the salaries is either correct or incorrect, but I venture to state that the statistics which my hon. friend has given to the House must have been taken from books that were several years old, and not the last. If the hon. gentleman will take the last issue of the civil service list, which gives the result of the changes to which I have referred, they will find that the disparity in reference to the salaries paid to the different officials and the different nationalities does not exist to the extent to which he has referred. I could give the hon. gentleman a list of those officers who were promoted and now occupy the places and perform the duties that were formerly assigned English-speaking people; but I do not advance that as any virtue or any credit due to myself. I say that in carrying out a policy of that kind, and in promoting gentlemen who are entitled to it, I did nothing more than my duty, and I know that that is the principle upon which the Government, of which I have been a member for some years, has acted in reference to all those appointments. Whoever may be appointed in Montreal, I hope he will be a man capable of conducting the business of that great and important port and possessed of sufficient commercial knowledge to justify his appointment. When I said a few moments ago that I thought services to one's country should be a recommendation for appointment, I do not wish to be understood as saying that that alone should be the qualification. In addition to the services which he has rendered to his country, a man should have the necessary qualifications to discharge the duties of the office which he is about to assume; and I can only say, as far as the present Government is concerned, as well as that which preceded it, that their only desire in the appointments to offices in the administration of the different departments or the affairs of this country, is to do what is right and to mete out justice equally to all classes of the people; and I am sure when their attention is called to any case where it has not been done, they will be prepared to rectify the error and to see that no class of the community, no matter what their religion or nationality, shall receive an injustice at their hands.

Hon. Mr. READ (Quinté)—Before this question is put, I would like to make a few remarks. I had thought I would live long enough to see the time when we would all look upon ourselves as Canadians, and I do hope that we shall soon all come to the conclusion that we are Canadians and that we will not continue to discuss in our legislative halls these matters of language and religion. I have in my hand a return under the head of "Legislation for 1891-92," which includes the staff of the Commons, the Senate and the Library during the above year. There were 264 persons under salary, made up as follows:—

French Roman Catholic.	129		
English-speaking R. C.'s	48		
Total R. C.'s.........	177,	drawing	$145,433.52
Protestants all told......	87,	drawing	80,855,86
R. C. excess............	90,	drawing	$64,577.66

The Public Works Department shows that the regular inside staff is made up as follows:

French Roman Catholics	77,	drawing	$74,178.30
English-speaking R. C.'s	19,	drawing	17,509.96
Total R. C.'s.........	99,	drawing	$91,688.26
Protestants all told.....	38,	drawing	48,608.58

Paid for outside extra copying during the same year, 1891-92, $9,117, distributed as follows:

French Roman Catholics..................	$6,910.28
English-Speaking Roman Catholics.......	1,876.72
	$8,787:00
Protestants...............................	330.00

The following table showing the religion of all the civil servants on the "inside service" or headquarters staff at Ottawa, and the mechanics and labourers at headquarters has been furnished. It is drawn from official blue books and other sources of exact knowledge. It will be seen that the Roman Catholics and Anglicans have much more than their proportion, judging by percentages of population shown in the census of 1891:—

February, 1893.	Roman Catholics.	Anglicans	Presbyterians.	Methodist.	All other Protestants.
Militia Department	20	9	3	1	0
Secretary of State	25	5	1	3	0
Interior Department	21	36	18	3	3
Finance do	7	15	4	4	7
Inland Revenue	11	9	3	2	0
Customs Department	5	12	3	6	3
Post Office do	60	85	22	20	3
Agriculture do	24	19	2	0	0
Public Works Department	95	21	7	5	4
Auditor-General	6	7	4	6	5
Justice Department	5	0	8	0	0
Indian Affairs	3	21	7	5	1
Railways and Canals	10	12	4	1	0
Marine and Fisheries	8	9	10	2	1
Privy Council	9	5	2	0	1
Senate, House of Commons and Library	177	32	22	15	18
Printing Bureau Clerks	24	11	2	6	0
Mounted Police	2	3	1	0	0
Mechanics and Labourers	104	....	....	....	34
Printers, Bookbinders, etc.	209	....	....	....	128
Total numbers	823	311	123	79	208
What each ought to be	633	201	232	269	216
Salaries drawn by each denomination	$707,543	$382,641	$140,473	$73,650	$128,003
Percentage each are entitled to	41	13	15	17	14
Total salaries each are entitled to	$587,247	$186,202	$214,846	$243,492	$200,523

You will see that the amounts which are drawn by the French-speaking gentlemen are out of proportion to those drawn by the English. We have never brought this up; we think that justice is done us, perhaps, and we think that we are all Canadians, and should be all Canadians. If I do not happen to speak the French language, I do not think my neighbours alongside me should give me a kick for it. I am an Englishman myself, and I do not think my children should reproach me because I was born in England, and I do not propose to chastise them because they were born in Canada. We are all Canadians. I hope that the time of this House will be spent more profitably than it could be in a discussion of such matters as these.

Hon. Mr. BELLEROSE—I am not at all surprised at the arguments which have been used in answer to my inquiry—if I may call them arguments. They are not logical and therefore they only expose the weakness of the Government's position. I am very much obliged to the hon. Minister of Commerce for the explanation he has given us, but I beg leave to assert that it is no answer to my inquiry; on the contrary, if I fully apprehend his remarks, they amount to a proof that I was right. The Minister said that there had been great changes made lately. That shows that the Government must have been wrong, since they claim credit for these changes. It is an admission that they have endeavoured to correct the wrong. But the books of this year have not yet appeared; they are among the secrets of the Government, which, of course, I do not know. I think that my allegations have been fully borne out. The hon. Minister of Trade and Commerce said that it must not be forgotten that the Government have to act on the advice of the members who support them. I believe that that is right if the advice is good, but suppose they give wrong advice, is the Government, which is responsible for the appointments, to do what every one must admit is wrong? It is only right to act on the advice of the members supporting the Government when the advice in itself is proper, but not otherwise. If the supporters of the Government give wrong advice, it only shows that the party is wrong. Then the hon. gentleman says that we ought not to introduce questions of religion here. I said nothing about religion, but I deny the proposition that questions of religion should not be brought up in this House. In the matter of divorce, for instance, when my religious convictions lead me to oppose divorce is it not my duty to say so? Any question which has a public aspect can fairly and properly be brought up for consideration in this

House. The hon. gentleman from Prince Edward Island said that we ought not to excite passions. I quite agree with him, but he ought to be the first man to advise the Government to treat the minority fairly, and thus avoid exciting ill-feelings. I have brought this matter up to-day because the Government have not respected the rights and feelings of the French population of Canada. I was in this House at the time when for two years, we heard the complaints of Nova Scotia and their demands for an increased subsidy of 10 millions of dollars. Did we, who represent the province of Quebec, ever rise in our places and say, "Let us hear no more of Nova Scotia?" No, the whole of the representatives of the province voted 10 millions of dollars to quiet Nova Scotia.

Hon. Mr. MILLER—Nonsense.

Hon. Mr. BELLEROSE—We voted one million a year, for ten years, yet nobody ever heard a representative of Quebec say, "We are tired of hearing all this talk about Nova Scotia." Yet when we, of the minority, rise up to try to defend our rights, we are told, "Let us hear no more of Quebec or of French and English: let us be Canadians only." The hon. member from Prince Edward Island says, "Do not excite passions." I say to him do not excite mine to-day by telling me that I have no right to complain of an injustice. The hon. member from Quinté has pointed out that in the Senate and the House of Commons the French population have more than their share of the patronage. The hon. gentleman probably did not clearly understand what I stated: I said I did not care if there was a disproportion in any particular department, provided on the whole each element of the population was fairly treated. What I stated, and what I repeat, is this, that the public documents show that we have only one-sixth of the patronage in the whole Dominion. In 1884 Sir Alex. Campbell, who was then the leader of this House, brought down a printed statement with respect to the civil service of the Dominion, and said, as he put the book on the Table: "Now the French people will see that they have their fair share." I could not at the time answer him, but a few days afterwards I was in a position to say that the leader of the Government had misled the House—that his statement was not borne out by the facts—that after adding up figures on 200 pages of the blue book, I found that the French people, far from having their fair share of public patronage, had only one to six, and the leader of the House made an excuse that he had been misled by an official of his department. We accepted the excuse, but that is the fact, that the leader of this House, at that time, made an incorrect statement. If the hon. member from Prince Edward Island had been there, he would have said: "Let us hear no more about the subject in this House." I do not speak often, and I do not speak good English, but I think I can make myself understood.

Hon. Mr. HOWLAN—The only trouble is that the hon. gentleman knows too much English.

Hon. Mr. BELLEROSE—I have shown by the public documents that up to this year, at all events, the French population of Canada have not been fairly treated. If the returns for this year show an improvement in that condition of affairs, I will be the first to admit that the various lessons I have given the Government on this subject have had due effect and I will thank them for any improvement they may make.

L'hon. M. TASSÉ—Honorables messieurs, je n'avais pas l'intention de prendre part au débat qui porte sur un sujet que j'ai traité ailleurs, mais certaines observations que je viens d'entendre méritent d'être relevées. Je ne saurais partager l'opinion exprimée par un honorable représentant de l'Ile du Prince-Edouard (M. Prowse), que ces sortes de questions, étant, de leur nature, fort délicates, ne devraient pas être débattues au parlement, mais que l'on devrait se contenter de représentations au gouvernement. Le parlement a été institué, entre autres choses, pour prendre connaissance des griefs du sujet, et je n'en sache aucun qui ne puisse être discuté d'une façon convenable, qui ne froisse aucun sentiment, qui s'impose à l'attention de tous les hommes raisonnables, épris du sentiment de la justice. Bien des fois, dans cette chambre, les sujets apparemment les plus chatouilleux, les plus inflammables, ont été discutés, et il n'en est pas résulté autre chose que de bons effets. Il n'est pas de l'intérêt public que l'on étouffe l'expression de griefs légitimes. Le feu qui couve sous la cendre est souvent le plus dan-

gereux. Le gouvernement a tout à gagner à ces discussions, puisqu'il peut s'éclairer ensuite de la lumière qui en jaillit. La motion de l'honorable sénateur de Lanaudière (M. Bellerose), demande des renseignements sur les employés de la douane de Montréal, leur nationalité, leur âge, la date de leur nomination, etc. Elle sera sans doute accordée, mais je crois qu'il eût été préférable d'obtenir un état de tout le service public, tant de l'intérieur que de l'extérieur. Dès 1882, j'ai demandé un état semblable à la Chambre des Communes, et il serait bon d'en avoir une édition plus récente. Cinq ans plus tard, je discutai cette même question dans une série de lettres au *Mail* de Toronto, qui finit par trouver mes chiffres—chiffres puisés aux sources officielles—tellement concluants, qu'il refusa de les publier, ce qui m'obligea de les adresser à l'*Empire.* Un fait certain, toutefois : nous n'avons pas à la douane de Montréal notre part de représentation, le patronage est administré de façon à y rendre très difficile l'entrée de nos compatriotes. Dans une remarquable série d'articles sur le patronage—articles qui devraient être lus soigneusement par tous les hommes publics—M. Joncas, l'habile député de Gaspé, vient de constater qu'il y a 69 Anglais employés dans le service extérieur de la douane à Montréal, et 37 Français, les premiers recevant des salaires pour un montant de $60,300, tandis que les Français gagnent seulement $27,700. Et n'oublions pas qu'il s'agit d'une ville en très grande majorité française. Mais il ne faut pas oublier que le patronage s'exerce surtout par l'entremise des députés. Sachons blâmer qui de droit. Si notre population qui constitue la minorité dans la Confédération, veut faire protéger ses droits, elle doit commencer par élire des députés qui soient bien identifiés avec ses intérêts. Ce qui se passe au Manitoba où l'on ne craint pas de violer une charte solennelle montre avec quelle vigilance nous devons surveiller ce qui se passe. *Eternal vigilance is the price of liberty !* a-t-on dit avec raison. L'honorable leader du Sénat (M. Bowell), déclare qu'il suit invariablement les recommandations des membres du parlement dans la distribution du patronage local, et je le crois. Je me rappelle qu'après avoir été élu député de la cité d'Ottawa, à la fin de l'année 1878, j'attirai l'attention de l'honorable ministre sur le fait qu'il n'y avait pas un seul employé français parmi les douze ou treize officiers de la douane locale, ce qui causait de sérieux inconvénients à ceux de nos nationaux qui ne parlent pas anglais. M. Bowell fut frappé de cette injustice, me promit de la réparer promptement, et, à la première vacance, il nomma M. Pierre Marier, l'un de nos citoyens les plus respectés. M. Marier est encore à son poste, n'ayant pas cessé de donner pleine satisfaction. Dans tout Ontario, 11 Canadiens-français seulement sont employés dans le service extérieur des douanes. Oui, mieux aurait valu engager le débat sur toute la ligne afin de pouvoir juger la question en pleine connaissance de cause.

L'hon. M. BELLEROSE—L'honorable sénateur me permettra-t-il de l'interrompre et de rectifier l'erreur qu'il fait. L'honorable monsieur dit qu'il eût été préférable que j'eusse amené toute la question du service civil au lieu de ne parler que de la douane à Montréal. Il faut que l'honorable préopinant se soit trouvé absent lorsque j'ai parlé. La proposition que j'ai soumise à la chambre est bien restreinte à la position que le gouvernement a faite à notre nationalité à la douane de Montréal, mais j'ai étayé cette plainte sur un document officiel que notre ami, feu l'honorable F.-X. A. Trudel et moi nous avons obligé le gouvernement à mettre devant le parlement, il y a déjà des années, et bien avant que l'honorable monsieur eût attiré l'attention de la Chambre des Communes sur l'injustice dont souffrait notre nationalité. Par ce document j'ai prouvé que nous n'avions qu'un sixième du patronage du gouvernement tandis que le chiffre de notre population nous donnait droit à un tiers. J'ai ajouté que nous ne nous plaindrions certainement pas si, n'ayant pas notre part légitime dans un ou dans un certain nombre de départements, nous avions plus ou du moins notre part légitime dans les autres, mais tel n'était pas le cas.

L'hon. M. TASSÉ—L'explication de mon honorable ami ne détruit aucunement la force de mon objection. Il ne s'agit pas tant du passé que du présent. Je le réitère : un état général eût donné plus de satisfaction à l'opinion publique. La motion que nous discutons, a fait dire à mon honorable ami de l'Ile du Prince-Edouard (M. Prowse), qu'en admettant que les Canadiens-français n'eussent pas leur part à la douane de Montréal, l'on pourrait se plaindre, avec tout autant de raison, que l'élément anglais est insuffisamment représenté au Sénat et à la

Chambre des Communes. Mon honorable ami oublie qu'il n'y a pas d'analogie dans les deux cas, puisqu'il nous faut au parlement un double service nécessité par l'usage des deux langues ; par le fait que tous les documents sont lus et imprimés dans les deux langues, ce qui demande un personnel considérable de traducteurs ; par le fait, dis-je, qu'on y applique, sauf dans les comptes rendus des débats du Sénat, l'article de la constitution qui met sur un même pied la langue française et la langue anglaise. L'objection de l'honorable sénateur serait-elle fondée qu'il lui serait facile de trouver d'amples dédommagements pour sa race dans les départements de la Douane, du Revenu de l'Intérieur, de l'Intérieur, des Postes, des Sauvages, de la Géologie, etc. Il trouverait, par exemple, qu'il n'y a pas un seul Canadien-français employé dans les douanes au Manitoba et au Nord-Ouest, à la Colombie-Anglaise et à l'Ile du Prince-Edouard. Il trouverait, par exemple, que dans tout le service public, tant de l'intérieur que de l'extérieur, sur 4,528 officiers, nous en comptons 789 quand le chiffre de notre population nous donnerait droit à 1400. Et cette disproportion est encore plus marquante dans les salaires que dans le nombre des fonctionnaires. Il trouverait, par exemple, qu'il n'y a pas un seul juge français dans les provinces d'Ontario et de la Nouvelle-Ecosse, qui comptent, cependant, plus de 130,000 Canadiens-français, quoi qu'en dise le dernier recensement. Le gouvernement a nommé des juges français au Nouveau-Brunswick, au Manitoba et dans les Territoires du Nord-Ouest, qui ne la cèdent pas à leurs confrères pour le savoir et l'intégrité, et j'espère que l'honorable ministre de la Justice, qui possède à un si haut degré le sens de l'équité, comblera la grave lacune que je viens de signaler. Il est élémentaire qu'une qualité essentielle d'un juge doit être la connaissance de la langue du justiciable. Cette qualité manque à un trop grand nombre. Je traite avec le mépris qu'elle mérite l'ancienne assertion du *Globe* que les Canadiens-français doivent à leur manque d'instruction de n'être pas représentés au service civil dans la proportion de leur nombre. Les examens officiels en font bonne justice. *Let us all be Canadians !* s'est écrié l'honorable représentant de Quinté (M. Read). Personne ne le désire plus que moi ; personne n'est plus fier que moi de notre pays, de ses populations, de ses richesses, personne aussi n'a une foi plus robuste dans l'avenir de ce vaste domaine qui a été taillé pour devenir l'un des plus beaux, l'un des plus heureux, l'un des plus grands pays de la terre, et le modèle de toutes les sociétés américaines. Mais cela ne veut pas dire que les Canadiens-français doivent jouer un rôle inférieur, qu'ils doivent souffrir à cause de leur origine, qu'ils doivent s'effacer à chaque instant, que les portes du service public doivent leur être fermées, ou à peu près, dans certaines provinces, que leur langue doit être sacrifiée à celle de la majorité. Non, honorables messieurs, il n'y a pas de race inférieure en ce pays. Et je ne permettrai jamais sans protester que notre race soit traitée comme telle, que ce soit dans les pays de l'ouest ou ailleurs. La confédération ne reconnaît pas cette infériorité ; elle est le le fruit d'un pacte solennel entre les races parlant français et parlant anglais, et si l'on veut qu'elle dure, qu'elle soit perpétuelle—*esto perpetua !*—il faut appliquer la grande charte de nos droits et de nos libertés dans toute sa plénitude. Ne parlez pas de patronage ! nous a-t-on dit. Pardon, nous en parlerons tant que justice ne sera pas faite. Nous n'avons pas besoin de faveurs. Mais nous réclamons notre place au soleil de notre libre pays, et nous ne cesserons d'insister sur la reconnaissance de nos droits. A ceux qui traitent cette matière aussi lestement, je ferai observer que l'une des principales causes des malheureux troubles de 1837 et 1838 a été la façon injuste, arbitraire, avec laquelle nous étions traités dans la distribution des charges et des honneurs publics. Jusqu'à l'Union de 1840, nous étions regardés comme des parias dans une province dont nous avions été les pionniers et où nous étions l'immense majorité. Rappelez-vous ce passage des fameuses 92 Résolutions, adoptées le 21 février 1834, par une grande majorité de l'Assemblée Législative du Bas-Canada, et qui énuméraient tous les griefs du temps. "La partialité dans la distribution des charges publiques," y disait-on, "est portée au comble, puisque sur une population d'environ 600,000 habitants, dont 525,000 environ sont Français d'origine, 47 fonctionnaires seulement, les moins rétribués, sont de cette extraction, tandis qu'on compte 157 fonctionnaires d'origine britannique. Puisque l'origine nationale et la langue des Canadiens sont devenues des occasions d'injure, d'exclusion, d'infériorité politique, de séparation de droits et d'intérêts, la Chambre en appelle à la justice

du gouvernement de Sa Majesté et de son Parlement, à l'honneur du peuple anglais ; les Canadiens ne veulent répudier aucun des avantages qu'ils tiennent de leur origine." Mais ces représentations n'ayant pas eu plus d'effet que les précédentes, le peuple fatigué, exaspéré de se plaindre en vain, dans nos chambres, dans la presse, dans les assemblées publiques, jusque même dans le parlement impérial, prit un jour les armes et troua de balles le drapeau anglais... Je n'approuve pas la révolte, je l'ai dénoncée il n'y a pas longtemps mais il n'en est pas moins vrai qu'elle fut l'œuvre de trois quarts de siècle d'injustice. Je n'insisterai pas sur cette page du passé, page de deuil, page de sang, page d'une guerre civile, la plus terrible de toutes, que nous voudrions pouvoir effacer de notre histoire. Cette triste leçon paraît perdue pour certains francophobes de l'ouest, qui pourraient bien allumer un feu plus destructeur que celui de leurs prairies ; elle paraît perdue pour certains hommes, semeurs de troubles et de divisions, pétris de préjugés nationaux, qui siégent dans une autre chambre ; elle paraît perdue pour certains publicistes qui, pratiquant à leur manière l'amour du prochain, haient tout ce qui est sang, foi et génie celtique. Mais si cette leçon est perdue pour ces hommes-là, véritables fléaux publics, qu'elle ne le soit pas du moins pour les sages de la nation, pour l'immense majorité du parlement pour ceux qui sont plus particulièrement, chargés de nos destinées. Les premiers, en soulevant les plus mauvaises passions, mèneraient le pays au bouleversement et à la ruine, les autres peuvent seuls le consolider et le sauver, en prêchant la concorde et la bonne entente et en restant fidèles à la noble devise qui orne la couronne britannique : "Dieu et mon droit."

SONGHEES INDIANS RESERVE.

INQUIRY.

Hon. Mr. MACDONALD (B.C.) rose to

Call attention to the present unsatisfactory position of Songhees Indians Reserve in Victoria, and inquire :—

1. How much money is to the credit of Songhees Indians, from proceeds of leases and other sources ?
2. Is it the intention of the Government to come to an agreement with the Government of British Columbia and the said Indians in the near future for their removal to a more suitable locality ?
3. Is it the intention to take any steps without delay to acquire a suitable reserve, and for the disposal of the present one ?

He said :—It is quite possible that the Minister of Trade and Commerce, who has been in Victoria more than once, may know the position of this reserve. It adjoins the best portion of Victoria very closely. It is a drawback to the progress of the place. The buildings upon it are nearly all deserted and are very unsightly. The residential part of Victoria surrounds the whole village and the reserve retards the progress of the place very much—it is a blot on the city. For this condition of things no one is to blame. Certainly not the Indians—we came to them, they did not come to us. However, the time has come when these Indians should be removed, not merely for the purpose of pleasing the people of Victoria, but from motives of morality and humanity. They are now subject to temptations from the white people in the way of drunkenness and immorality. I have seen those people dwindle down from a thousand to thirty or forty, chiefly through contact with degraded white people and acquiring habits of drunkenness and immorality. So long as they are left where they are, they will be subject to those evil influences, and for that reason alone steps should be taken for their removal. I perfectly recognize that there are difficulties in the way of removing these Indians. In the first place, there is a triple authority. First of all, the Local Government holds the sovereignty of the soil: then there is the right of the Indians to possession, and the Dominion Government, as trustees for the Indians, have control of the reserve so long as it is an Indian reserve ; but I think those difficulties can be overcome. Undoubtedly, it is the right of the Provincial Government that the reserve should fall into their possession when the Indians are removed, and if they get the reserve, which is worth now about $200,000, they should provide another place for the Indians. It would not be just to the tribe to expect them to give up a valuable property without having some permanent provision made for them elsewhere. I would call the attention of the ministers to a way in which this matter might be dealt with. There is a beautiful reserve not far from Victoria, fronting on the sea, where there is good fishing. It is occupied by the Victoria Indians who speak the same language as the Songhees and are similar in manners and customs. If you would allow the Victoria Indians to go down to that reserve, the difficulty would be removed. With a little negotiation, and perhaps by paying the Indians a small annuity, some such conclusion might be arrived at, and it would be the best solution of the difficulty. There is ample room for all the Indians of the two tribes on the reserve I have mentioned. I would suggest that a commission should be appointed to take this matter up with the Provincial Government and the Indians. The Dominion Government should first of all ask for the opinion of the Provincial Government upon the whole question of the removal of the Indians, the disposal of the old reserve and the acquisition of a new one. The Government should recommend that a joint commission be appointed: I would suggest Mr. Vowel, the superintendent of Indian affairs in British Columbia, as one. He is a gentleman who thoroughly understands the question. Mr. McKay, the agent at Kamloops, is a gentleman who has the confidence of the Indians. He knows the Indian language very well, and whatever he would say they would abide by. He has been in that country forty years and has won the confidence of the Indians. The Local Government could appoint a representative to meet these gentlemen, and between them they could settle the question. This matter has been up in the local House recently, and that body has passed a resolution unanimously, asking the Government to bring the matter to the attention of the Dominion Government. Every one who spoke on the subject desired to have it settled at once. The commissioner of crown lands suggested a plan of dealing with the matter similar to the one which I have suggested to-day and he seemed to think that the object in view could be easily accomplished. I do not know what money there is to the credit of these Indians, but there ought to be enough to acquire a new home for them. On the score of humanity and morality, I hope the Government will lose no time in coming to some arrangement about the removal of those Indians.

Hon. Mr. BOWELL—The hon. member has explained the situation which these Indians occupy and the injury that is done to Victoria and that immediate locality, in the way of preventing the improvement and extension of the city, as well as the bad effect from the close proximity of the tribe to the class of people to which he has referred. He has dealt with the subject so fully that it is quite unnecessary for me to enlarge upon it. I may inform the hon. gentleman and the House that the Government have not lost sight of these facts, and that they are now in communication with the British Columbia Government with a view to arriving at some solution of this question. As the hon. gentleman has pointed out, there is a difficulty in the fact that there is a triple ownership of the reserve. An offer has been made for the land, which is much greater than the sum mentioned by the hon. gentleman. A trust company has offered $350,000 for the land now occupied by the Indians, and which is partially surrounded by the city, but the Government have not yet been able to come to a conclusion as to any satisfactory arrangement for the removal of the Indians. The difficulty in the past, I think, has been in not being able to secure the consent of the Indians themselves. The proposition now is, as I understand it, from the Minister of the Interior, under whose particular superintendence and charge the Indians are, to enter into arrangements if possible with the Local Government, and with the Governor of that province, who may be asked to intercede, or probably the gentleman to whom he himself has referred, in order to enable the Dominion Government to secure a reserve upon which these Indians could settle, and acquire the land which they now occupy and which, as he has pointed out, would in case the Indians are removed, accrue to the Government of the province. All that our Government can do is to negotiate for the removal of the Indians, and I take it for granted that a portion of the sum received for that reserve, in case it were sold, would have to be used to acquire a reserve for the Indians and which should be sufficiently large for them to live comfortably. That is really the position of the question to-day. The answers to the questions which the hon. gentleman asks are as follows: First, the amount of money standing to the capital account is $9,573.01; the amount of interest, $1,323.66, making a total of $10,896.67. Negotiations with a view to obtain a surrender thereof from the Indians owning the Songhees reserve and their removal to some suitable locality have, for some time, been carried on by the Indian superintendent at Victoria; and thirdly, should the Indians agree to surrender their present reserve, there will be no difficulty in procuring a suitable reserve elsewhere; but it is, of course, necessary to ascertain whether they will leave their present reserve before acquiring another reserve for them; likewise, before any steps for the disposal of the present reserve can be taken, it will be necessary that the Indians agree to surrender the same for sale. These are full answers to the questions of the hon. gentleman. I understood him to say that the number of Indians was about forty. Am I correct in that?

Hon. Mr. MACDONALD (B.C.)—So I believe.

Hon. Mr. BOWELL—The official statement is, there are about 136 souls all told. I suppose that means men, women and children?

Hon. Mr. MACDONALD (B.C.)—The Chief came to my house to consult me, and he told me then that there were only about thirty or forty left.

Hon. Mr. BOWELL—This is the statement made by the Deputy of the Department, Mr. Vankoughnet, and placed in my hands. I sincerely hope that the time is not far distant when another reserve may be acquired for these Indians. I am quite sure it will be in their interests that such a reserve should be set apart for them, and it will be equally in the interests of the city of Victoria. At present it is really a blot upon the city, and I quite agree with the hon. gentleman in saying that it is morally, and physically, I might say, in the interests of the Indians that they should be removed from their present position.

Hon. Mr. McINNES (B.C.)—I am very much pleased indeed that my hon. colleague has brought this question before the notice of the House, and I not only concur in the views he has expressed, but also in the recommendation he has made to the Government. I think the proposition he has placed before the House and the Government is the best one for the solution of this question. I am also happy that the Government are about to take active steps towards securing a more suitable place for the remnants of that once very important band of Indians. However, I should be very sorry indeed if the Government decide to accept the offer of $350,000 from this Company which the hon. leader of the Government has mentioned, for this reason: when Companies get possession of a considerable block of land like that, they lay it out—at least it has been done in Winnipeg and other cities in Manitoba and the North-west Territories, and also in New Westminster, Victoria and Vancouver—they lay that land out in a manner that certainly would not do credit to a place like Victoria. The streets are mere lanes or alleys; and unfortunately a portion of the city of Victoria is laid out in that manner now. I hope, therefore, that it will not fall into the hands of any company, or if it does fall into the hands of a company, that some stipulation should be placed in the agreement by which they shall be compelled to have streets of a certain width; but I think if it is left in the hands of the Government they will be able to realize nearly $350,000 but in all probability nearer half a million within a short time, and I take it for granted that the Government are not so hard up for money that they cannot afford to sell that property on two or three years' time. I am convinced, if it is properly laid out and offered for sale to the public, that they will realize a great deal more than they could possibly get from any company.

Hon. Mr. BOWELL—I do not wish to be understood as saying that the Government have offered the property for sale. I merely mentioned the fact that an offer had been made, in order to show the value which was put upon the land; and hon. gentlemen must not forget that it is a grave question whether the Dominion Government has the right or authority to sell that land. As was pointed out by the member for Victoria, the moment this land is surrendered by the Indians, the fee reverts to the Local Government and not the Dominion. So that any steps that may be taken for the sale of that land will, I take it, be by the Local Government, and they will acquire whatever profits or benefit may arise from it, and that being the capital of the province, I think they will pay attention to the very proper suggestions which have been thrown out by the hon. member from British Columbia.

HOLIDAYS LAW AMENDMENT ACT.

THIRD READING.

The House resolved itself into Committee of the Whole on Bill (8) "An Act to amend the law relating to Holidays."

Hon. Mr. ANGERS—I shall now move the amendment of which I gave notice at the second reading.

Hon. Mr. LOUGHEED—I would ask my hon. friend if he has caused the whole of the statutes to be perused to ascertain if any mention is made of those particular holidays in any of the other statutes except those two named, viz., the Interpretation Act and the Banking Act?

Hon. Mr. ANGERS—I have.

Hon. Mr. LOUGHEED—It appears to me that the Act in its present shape would be very much better than with the proposed amendment.

Hon. Mr. ANGERS—I may say that I had a report from the Clerk of the House upon the subject and he ascertained that the amendment was accurate.

Hon. Mr. ALMON—I gave notice that I intended to move, not an amendment, but an addendum to this Bill, that Dominion Thanksgiving Day should be held on Sunday. I am not going to press the motion, for several reasons. In the first place, I think it would not pass, because the members of this House are not sufficiently educated up to the importance of it, but I trust that next Dominion Thanksgiving Day they will look round and see how it is observed in the places in which they reside. I think they will find that a very small proportion of the people give thanks to God in churches, as they are intended to do under the proclamation. A great number employ that day in dissipation of all kinds, which is very much to be deplored. Many persons share my opinion that the Government have nothing whatever to do with religious observances. In the Dominion of Canada we have no established church, and, therefore, no Government has any right to tell the people in this free country that they should go to church and worship God in a particular way, when they do not feel inclined to do so. When the members of this House are educated up to what ought to be done, I shall bring forward this matter again. It may take a long time to drive it into some of their heads, and I may not be alive at that time, but they will then see that Thanksgiving Day in order to be properly observed, should be kept on Sunday when everybody should go to church. Many people spend the holiday in dissipation, but there are others who have the same religious scruples as I have, who object to being dragooned by the civil authorities to go to church, and they do not do it; they spend their time in idleness and lose their day's labour. You may say that these men could work if they had the same religious principles I have against going to church, but they cannot do it, because their employers belong to other churches, and they differ from yourselves and myself, and think the Government should make the religions for us and tell us what observances we should make and where we should go, and, therefore, they shut their stores, and their employees are driven into idleness when they most need money. I would likewise suggest to the hon. gentleman that he should consider this fact, that when he employed the present officials he paid them a certain salary for a certain number of days work. He has now added three days' work by this bill, and he is not going to increase the salary. Should they not be allowed three additional days to the fortnight's holidays they have in the summer? I think the Government should have the same feeling that an honest gentleman would have towards the people he employs. He makes an agreement and he should keep it. You have made an agreement with the civil servants to work a certain number of days in the year and you pay them accordingly; now, when you take away three days, I think you should give them three additional days pay or lengthen the summer holidays by adding three days. I hope that when I introduce my resolution the House will be sufficiently educated on the subject to adopt it.

Hon. Mr. BOLDUC, from the Committee, reported the Bill with one amendment, which was concurred in.

The Bill was then read the third time, and passed.

BANK ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into Committee of the Whole on Bill (I) "An Act to correct a clerical error in the Bank Act."

Hon. Mr. LOUGHEED, from the Committee, reported the Bill without amendment.

The Bill was read the third time, and passed.

MILITIA LAND GRANT BILL.

THIRD READING.

The House resolved itself into Committee of the Whole on Bill (G) "An Act to make further provision respecting grants of land to members of the Militia force on active service in the North-west."

Hon. Mr. KAULBACH—I would like to ask the Minister why the necessity exists to continue this Act? Certain militia in the North-west are entitled to a grant of land for services as militia men. Why the necessity to extend this Act? Is it in consequence of the militia not having located, or is there any other reason why this Act should be extended for another year? Has there been any delay in the civil service department?

Hon. Mr. BOWELL—I can only repeat what I stated when I introduced the Bill: that a number of those who performed military service during the troubles in the North-west are entitled to these land warrants. They made their application, but delay took place in some cases in the making of these applications and in the reporting upon them in the Justice Department. They were received too late. The time had expired before they could obtain them, and this is simply to extend the time to the 31st December, in order that warrants may be issued to those whose claims have been passed upon by the Justice Department and upon whose claims reports have been made that they are entitled to take them. I might mention that this is the second time the Bill was introduced; it was brought up some years ago and was renewed in 1891 for one year; and now it is proposed to extend the time until the 31st December next. That is the whole provision of the Bill—to enable these volunteers to receive their warrants.

Hon. Mr. LOUGHEED—I would say in this connection that there are other numerous applications from those who consider themselves entitled to scrip now before the Government, and I would ask the hon. leader of this House that their applications should be considered, and that closer attention should be given to the claims of many men whom I know to be entitled to scrip than has been given in the past.

Hon. Mr. BOWELL—I think the passage of this Act will enable the Department of Justice to report in favour of all those who are entitled to it. My short experience in the Militia Department led me to this conclusion, that nearly every man who walked ten miles in the North-west during that rebellion made claims for scrip or land warrants. I wish the hon. gentleman to understand that I have no reference to the claims to which he refers, because I understand his claims are valid, and if they are of course they will be recognized, provided the claim is made and the proof put in before the 31st December.

Hon. Mr. McKAY, from the Committee, reported Bill the without amendment.

The Bill was read the third time and passed.

The Senate adjourned at 5.20 p.m.

THE SENATE.

Ottawa, Wednesday, March 1st, 1893.

THE SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THE COMMERCIAL POLICY OF CANADA.

MOTION.

Hon. Mr. BOULTON moved—

> That a Select Committee be appointed to inquire into the statistics of the country, and its industrial progress, with the view of assimilating our commercial policy with that commercial policy that has increased the prosperity of the people of the United Kingdom of Great Britain and Ireland, in such a marked degree; with power to send for persons and papers, and to employ shorthand writers.

He said:—Hon. gentlemen, the object that I have in view in moving for a committee of so much importance as this arises from the fact that in the House of Commons, the hon. Finance Minister, in the budget debate, stated that it was the intention of the Government to appoint a Ministerial Committee for the purpose of inquiring into these very matters during the recess of Parliament. At the same time the hon.

Finance Minister, in his budget speech, defined clearly the position which he occupied. He defined clearly the position he occupied before the country on the broad question, and he has taken his stand distinctly on the platform of protection. He has cast from him the policy of free trade, and thrown it over to the hon. leader of the Opposition. I refer to page 682 of the *Hansard*, where the hon. Minister says:—

> Then the first question comes from my hon. friend, will the Government adopt free trade? My answer to that is "no." I know I disappoint my hon. friend in not taking up the pet idol and dream of his heart, the one idea which is the bright star of his existence, towards which he treads his devious way, sometimes in one country and sometimes in another, from platform to platform, but always with that bright particular star in sight; now, I believe only fifteen years distant is that bright particular star of free trade, the freest of free trade.

The hon. Finance Minister has, I take for granted, passed over the policy of free trade, whatever it may mean, to the leader of the Opposition, and has taken his stand upon protection. The hon. gentleman does not know the full force of the principles which govern British commerce and the effect they will have upon the minds of the people, when they are heralded by an organized party from every platform. Now, hon. gentlemen, if the hon. Minister of Finance is going to appoint a Ministerial Committee for the purpose of inquiring into the industries of the country so far as they affect the protective policy of the country, I do not think that would be an entirely satisfactory committee to procure the information which the people of the country at large desire; and I think that the Senate is eminently fitted and has the time to give for such an inquiry as the people of the country desire. Hon. gentlemen must be perfectly aware that there is a great deal of unrest at the present moment in regard to the trade question; that petitions have come in, resolutions from important bodies, labour councils, farmers' unions, patrons of industry, and manufactories of all kinds—petitions have come in in great numbers, which show that there is an unrest in regard to the trade question, that there is something pressing upon the industry of the country, not only in the farming community, but throughout the general industrial community; and all that the people want, I believe, is to have information; because there can be no doubt about it that in consequence of these petitions, in consequence of this evident unrest with reference to the trade policy of the country, we are on the eve of a change in some direction, and I have no doubt everybody in the country is anxious to know what that change shall be. They are anxious to apply their intelligence, after they have had the information placed before them in such a manner that they can use that intelligence for the benefit of the country and for their own benefit. Now, hon. gentlemen, I think that this honourable House can supply that committee, and can secure the information which is so much desired. This honourable House has performed a valuable service for the country in the last committee of a special character which it dealt with; I refer to the committee appointed to inquire into the Baie des Chaleurs matter; and I think the country acknowledges that the services which were performed by the Senate on that occasion have been invaluable.

Hon. Mr. POWER—If the hon. member will allow me to correct him, there was no special committee in that case; it was the ordinary Railway Committee of the Senate.

Hon. Mr. BOULTON—Then it was not a special committee; but the inquisitions of that committee cleared the mists that were pressing upon the vision of the people of the province of Quebec, and in that respect I say that they have performed a valuable service. I think that the same services can be performed by a committee such as I speak of—a special committee appointed for the purpose of making that special inquiry. It is not an uncommon thing; we see to-day that England is appointing a committee to inquire into the agricultural depression. Between the year 1815, when the corn laws were adopted, and 1846, when they were abolished, there were five special committees appointed to inquire into the depression in agriculture. We saw that there was a royal commission appointed by Great Britain only so far back as 1886—a special commission appointed to inquire into the general trade depression of Great Britain and the world. It is information for the people of the country to exercise their intelligence and their franchise upon. It is for that reason that I make this motion to-day. I make a motion not only for a committee, but a committee with a view to assimilating our commercial policy with the commercial policy which has brought great prosperity to the people of the United Kingdom. What are the difficulties that we are suffering from at the present moment? We are suffering from limited markets. The National Policy, I contend, has done its work. We have arrived at that stage of our industrial progress when a change is desirable. We have brought into existence manufactures, and in fourteen years the capabilities of the country, so far as absorption of the manufacturing power of these industries is concerned, has reached its limit, and the evidence of that is the combines that have been formed in almost every branch of industry. What for? For the purpose of restricting the production within the limits that the manufacturing capacity of the country can absorb. The statement is often made to me, why cannot they export? They cannot get into the markets of the world with their manufactures, because the cost of manufacturing is increased to such an extent by the protective policy, by the duties put upon all articles entering into industrial enterprise, into the personal and individual requirements of labour, it adds so much to the cost of manufacturing that manufacturers cannot get beyond the limits of the markets of Canada, the markets of 5,000,000 of people, in order to absorb their manufacturing power. That is the position in which we find ourselves to-day, and the result is that the very thing that we imposed the National Policy to establish, has now come round, and it is used as an engine by a combination of manufacturers to restrict the production within the limit, as I said before, of the capacity of 5,000,000 of people of Canada to absorb the product of their capital and industry. The evidence of that is before us in the Trade and Navigation Returns, because they show that we have only exported one and a half million dollars worth of the manufacturing products of Canada. At the end of fourteen years we have only been able to export in the neighbourhood of $1,500,000 worth of the manufacturing products of Canada; I say that is an evidence in itself that the manufacturers of the country cannot go beyond the limits of Canada in order to find a market for their products. When I say it is $1,500,000, I of course draw a distinction between those manufactures brought into existence by the National Policy that do not especially belong to the natural manufacturing industries of the country but are sustained by the importation of raw material. I draw a distinction between those industries and the manufacture of such articles as lumber, doors, sash and blinds and articles of that kind. Therefore I say that the time has come when it is necessary for us to inquire and ascertain what is the best policy to be pursued. Are these statements correct, are these statistics which are put before us of that character that they can be taken as absolute facts and taken as an indication of the development and progress of the country? We find our labouring population in our cities, such as Montreal, Toronto and other places, petitioning the Government against lending any aid to immigration. Why do they do that? Because they know that in aiding immigration the Government is bringing labour to a restricted market, that the restricted market of 5,000,000 is already filled with all the manufacturing power that the country needs—that bringing more skilled labour to the country is only bringing men to compete with them and still further depress their industry and the means by which they live. If we had a policy that enabled our manufacturers to get abroad to the markets of the world beyond the limits of Canada, you would not find the labouring population of the country making any effort to confine the efforts of the Government in the direction of immigration, but would warmly welcome any accession to their ranks. But when they know that the manufacturing power of this country is limited to the wants of the people in the country, and that there is skilled labour enough in the country at present to fill those wants, they know it is only an injury to themselves and to those whom we attract here in the hope of increasing the manufacturing power of the country. Now, as you are all aware, I have had the honour of speaking once or twice in this hon. House on the question of free trade. I have taken up the question feeling the pressure on ourselves out in the West so far as the duties are concerned and so far as the cost of manufactures are concerned, and it has led me to make as deep an inquiry as the facilities at my command enabled me to do to see what the best policy for the country is. Several policies, have been brought forward — commercial union, unrestricted reciprocity, partial reciprocity with the United States, and fair trade with England. I do not know any party that has come forward and has been bold enough to realize and acknowledge that a policy of free trade with the world such as has been adopted by England is within the capacity of the people of Canada to pursue. After fully inquiring into the merits of the question, I have come to the conclusion that the people of Canada are in quite as fit a condition and have quite the capacity, intelligence and ability to take upon themselves the full effect of the policy of free trade as pursued by Great Britain. When we see to the south of us that our neighbours are also making great advances in the same direction, when we see the complete overturn of the Republican party, not only in the election of the President of the United States, but of the Republican party in the House of Representatives and in the Senate, and when we see the Democratic party succeeding on the square issue of free trade, we may realize that the day is not far distant when the most perfect freedom of trade will prevail without sacrificing the perfect independence of Canada. As Mr. Cleveland put it to the people when he was seeking re-election four years ago, he stands on the same platform to-day, and it is the issue of free trade *versus* protection that was put before the people of the United States at the late election.

Hon. Mr. KAULBACH—No, no.

Hon. Mr. BOULTON—It is, and I can prove it, too. The proof is in the gentlemen whom the president has selected to compose his Cabinet. Among them he has selected Mr. Carlisle for his Treasurer, and, according to the New York *Tribune*, Mr. Carlisle has stated that he would accept it if allowed to associate with a committee embracing some of the most prominent free traders of the United States. He has, according to that paper, proposed to associate with him David Wells and Thomas G. Shearman, in the preparation of the policy of tariff reform which is to be instituted. Every hon. gentleman knows what David Wells's policy is. He is one of the most advanced thinkers in modern political economy and has written some most valuable works on such questions, and his policy is a free trade policy. Thomas G. Shearman is also an out-and-out free trader: the New York *Tribune* calls him a radical free trader—that is, a single tax man; and he wrote a letter to the London *Times* in September last complaining of the speech made by Lord Salisbury, as indicating the probability of England once more returning to protection in consequence of his remarks, and saying that the United States were making rapid strides towards free trade—not the free trade in vogue in England, but radical free trade which took direct taxation as its mode of levying the taxes required for the country. Those are the men that Mr. Carlisle has chosen to associate with himself to initiate tariff reform in the United States. They have greater difficulties, I acknowledge, to contend with in the promotion of any free trade policy than we in Canada have to contend with. They have to meet much more extravagance in their expenditure, and have loaded themselves down with several heavy burdens in the shape of pension lists, sugar bounties, silver purchase, and a variety of things of that kind. They have to clear the air of that expenditure and adopt a more economical management in their affairs before they can take the advanced position that Canada at the present moment is able to take, in effecting a change of policy towards free trade. The United States is also in a much better position to maintain a protective tariff than we in Canada. As you all know, the United States embraces almost every one—they can get their oranges from Florida and from California, and put the West in competition with the East. They can get their sugar from the southern States. They can sell their northern products in the South and their southern products in the North, and are able to supply themselves with a variety of products that we cannot supply, but which it would not be wise to supply ourselves with under reciprocity conditions if it means a continuance of the same protective tax on labour. We occupy a position on this continent in which all our provinces lie in nearly the same latitude—almost all of us produce exactly the same things, and therefore we have to seek a market abroad for the surplus that we have to export. If we have to buy oranges we must bring them from the West Indies, from Florida or California or the Mediterranean. If we buy tropical fruits, we have to get them from the United States or from countries outside of the United States, and the question for us is whether we will lock ourselves up within ourselves under a policy of protection—our National Policy as it is called, as we have been doing for the last fourteen years, or are we to assimilate our tariff with that of the United States as some people here advocate at the present moment. In fact, I believe the Finance Minister is waiting upon the people of the United States to find out exactly what their policy is going to be before he will show any indication of the policy he will pursue in these matters, and that is what I call assimilating our tariff with that of the United States and I say that that is not asserting that independence that we should show. We are not bound to the United States so far as trade matters are concerned. We can adopt any policy that we think is best for the promotion of the interests of the people of Canada without reference to the people of the United States, but the question of reciprocity does not leave us in that independent position. We cannot enter into a reciprocity treaty unless the country with which we seek that reciprocity treaty is willing to reciprocate on terms to suit us: for that same reason the difficulty presents itself in reciprocity with Great Britain on the fair trade basis. We may imagine that it would be to the advantage of Canada, but we have to persuade the people of Great Britain that reciprocal trade is a wise policy and will have the same beneficial results for the people of Great Britain as some imagine it will have for the people of Canada. In that respect, both on the fair trade basis with Great Britain or reciprocity with the United States, I say we are not maintaining that independent position, for which the National Policy was instituted, by seeking to sacrifice our independence in trade matters with reciprocity in any direction whatever. Free trade on British lines will preserve that independence, although producing an assimilation of commerce, and will insure that prosperity to the people of Canada that it has insured the people of Great Britain since they adopted the commercial policy which they have been operating under ever since 1846. I have asserted, in the motion that I have put before this honourable House, that the people of Great Britain are prosperous. I have staked the success of the motion I have put before the House on the assumption that the people of Great Britain are prosperous. I know many people try to make out and persuade the country at large that the people of Great Britain are not enjoying that degree of prosperity under free trade they are credited with, and therefore before I can proceed with my motion with any hope of having it adopted by this honourable House I must show that prosperity does exist in Great Britain. Of course the phase of prosperity depends entirely on how individuals may view that prosperity. There are two classes of prosperity—the prosperity of capital or the success of labour; although inter-dependent they differ in degree. If you wish to see the prosperity of capital it may possibly be at the expense of labour and *vice versa*. Now hon. gentlemen will recollect perfectly well that a couple or three years ago English capital took a great speculative turn in the Argentine Republic so that it almost shook the foundation of Great Britain and brought down the old house of Baring. The basis of that speculation was land in the Argentine Republic. The Government of the Argentine Republic upon a semi-socialistic basis instituted a system of land bonds guaranteed by the Government and they issued land bonds and the price of land advanced until they had run the price of their lands up to $40 per acre. All that capital was advanced by British capitalists. Of course after the hollowness of it was seen through the bubble burst. It brought down the house of Baring, which was the medium of the capital operating. That speculation induced over production. The products of labour that went out to the Argentine Republic, for trade follows capital, were so great that it brought about over production and left the trade of Great Britain in a depressed condition so far as capital is concerned. But we have the very best evidence to show that that depression is not applicable to the labour of Great Britain—that although that depression still exists and is still being felt in the trade circles of Great Britain in consequence of over speculation, it is not felt in the same way by labour and I wish to show you by public evidence how far I am right in my statements. One result of the strikes of last year was the voluntary cessation of work on the part of labour, to equalize supply and demand, supporting themselves in the meantime rather than accept a reduction in wages. A Royal Commission was appointed in 1886 by the Government of Great Britain to inquire into the trade depression. It completed its labours in 1888 and here is one of the clauses of the report that appear in it. It is one of the best authorities we can possibly quote as to the prosperity of the working class of Great Britain.

> There is no feature in the situation, which the commissioners have been called to examine, so satisfactory as the immense improvement which has taken place in the condition of the working-classes during the last twenty years.—Report of the Royal (British) Commission on the Department of Trade, 1888.

Then I come to the financial review of 1892. Dealing with the financial condition of the country itself, it says :—

> It is quite clear that the revenue could not have been so large if the great body of the population had not been able to spend so freely ; and especially it is noticeable that there are increases in the very items of revenue which depend most upon the general consumption. Furthermore on total receipts of about 20 millions sterling on seventeen of the principal railways in the United Kingdom, the decrease according to the weekly traffic returns, in the gross receipts is only £100,000. It is to be recollected that on a single railway—the North Eastern—the great Durham strike is estimated to have cost not far short of half a million sterling.

It shows that the revenue has been maintained and it has been derived from the prosperous condition and the consuming power of the people of Great Britain. Then again we have the *Fortnightly Review* for January, in which an article on the labour question appears. It is by Mr. Schloss, a gentleman quoted as an authority by Mr. Gould, an American statistician, who has been appointed to inquire into the labour statistics of Europe for the purpose of getting the best information on the subject of the condition of the labouring classes for the information of his Government, and therefore, I presume, he is a capable man, that is, capable of expressing an opinion. This is what Mr. Schloss says :—

> The general increase in the remuneration of labour which has taken place during the last three years throughout the length and breadth of the kingdom has been witnessed by social reformers of every class with profound satisfaction.

Now, there is evidence from three sources, one a royal commission, the other the financial review, and the third an article by a man who is thoroughly informed upon the labour question, and they state that the prosperity of the labouring classes is undoubted both in regard to the wages they receive, and the purchasing power of those wages. The interests dependent on agriculture in England are 200,000 landlords and their families, 1,000,000 tenants and their families, 10,000,000 agricultural labourers and their families. One class should not be protected at the expense of the other ; they are dependent on one another so long as they remain dependent upon and identified with the soil, and all are equally interested to maintain its productive power, but when loan companies or insurance companies become the landlords, a decadence of agriculture may be looked for. We see, therefore, that a general increase of wages and consuming power has been the result of the policy of Great Britain of late years. But I will not confine myself to those isolated instances which may be considered, to a certain extent, as foreign. I will take quotations from our own blue books, issued by our own Minister of Agriculture in his annual report. I have before me the report of the High Commissioner for Canada, including agents reports from various parts of the United Kingdom. The following is from *The Field*, an agricultural paper of the very highest standing, of April 20th, 1891, quoted by Mr. Dyke :—

> " .... Enough has come to our knowledge to make one see that although the agricultural population as a whole may not show so great a deficiency, there will be a falling off from 10 to 20 per cent in all those arable counties in which the four-course system of cultivation still prevails....In one case known to us there are nearly 30 per cent fewer people at work upon the land in 1891 than there were in 1881....If, as we believe will be found to be the case, there has been a special reduction in the number of the agricultural labourers where the occupiers of the land are tied to 'farm four-course' it will form a new indictment against that method."

" It is very difficult, as *The Field* says, to show the effect of the various methods of farming upon the population, but it can be safely stated that in the purely agricultural and more especially in the arable districts the agricultural population has decreased no less than fifty per cent during the last twenty years, the young men having migrated to towns and manufacturing districts."

The Field is recognized as an authority in Great Britain, in consequence of the ability at the head of its editorial columns. Now, you see that while *The Field* acknowledges the existence of the agricultural depression so far as the diminution of labour on the soil is concerned, it is not attributed to the free trade policy of the country, but to the system of agriculture pursued. Mr. Dyke goes on to say :

> During the last four years the trade of the country has been increased by £130,000,000, while

in shipping there has been an increase of nine million tons. Railway receipts had increased ten and a-half millions; savings banks deposits, sixteen and three-quarter millions; and the output of coal had increased twenty-four million tons. These figures indicated a solid advance in commercial prosperity. On the other hand, emigration had decreased by 14,784; pauperism had decreased by 39,000, the number of paupers last year being the smallest number on record during the past twenty-five years.

"During the last few years, nearly every branch of manufacturing industry has been fairly prosperous, and in many branches of trade, taking the purchasing value of wages, men have been really better paid than they would have been in Canada or the United States, and of course this state of affairs quickly becomes known." Now, hon. gentlemen, there is a statement from one of our own agents, Mr. Dyke, who has been the agent in Liverpool for a great number of years, who makes it his business to inform himself fully and thoroughly as to the conditions of agriculture, so that he can give the best and most reliable information to the people of Canada in such a report as this. He goes on to say that during the last few years nearly every branch of manufacturing industry has been fairly prosperous, and in many branches of trade, taking the purchasing value of the wages of the men, they have been better paid than they would be in Canada and the United States, and of course this statement quickly becomes known. The following appeared in the Liverpool *Courier*, of the 6th November, 1891, and shows the extent to which the population of the agricultural districts has been depleted:—

> Agricultural labour is so scarce in some of the Midland Counties that the root crops are lying in the fields ungathered. At Eye Green, Northamptonshire, the farmers have advanced wages over 25 per cent, but still more hands are wanted.

There, hon. gentlemen, is the evidence that the labourers' wages have been increased 25 per cent and yet the requirements are not filled; and I think I have seen a statement made in defence of agricultural depression by the Right Hon. Mr. Gladstone, in which he said agricultural wages had been advanced of late years by fifty per cent. Mr. Dyke goes on to speak of the value of land:—

> The opinion I expressed last year that the depression in agriculture had touched its lowest point has been confirmed. There is now a better demand for well situated farms, more especially of grass land, than there has been for some years past. One of the leading London journals of recent date states that: "About 110 farms in Essex are now tenanted by Scotsmen, all of whom have migrated to the country within the last few years, the majority of them coming from Ayrshire. These settlers are going in largely for dairying and stock, and as a rule, they are doing well, the average rent being something under a sovereign an acre."

Then he quotes from the Estates (Gazette) with regard to the price of land, after showing that lands had depreciated in the last twenty years about 50 per cent. The same journal in December, in a review of the year's sales of real estate, says:—

> Land—that is purely agricultural areas—has been a "drug" through the whole of the season, due principally to the depression which still exists in the agricultural markets; the prices, however, have not fallen any lower, for, according to the above figures it will be seen that land comes out as selling at an average of about £42 per acre, which is £1 more than the average price obtained in 1890.

Now, hon. gentlemen, although the price of land has fallen 50 per cent in the last twenty years according to the Estates (Gazette), yet it still maintains an average value of land in England of £42 per acre and increased £1 an acre in value in the year. We would be very well satisfied indeed if we could say the land approached anything like one-half that amount; and there is no reason in Canada, under the same free trade policy that Great Britain has been working under for the last forty-six years, why the price should not be identically the same as it is in England. What is it that gives the value to that land?

Hon. Mr. MACDONALD (B.C.)—Population.

Hon. Mr. BOULTON—The hon. gentleman is quite right, it is the large centres that are close to the agricultural farms which give them a near market and a high purchasing power for those things which are the produce of the farm. Adopt the same policy and build up the cities and towns in Canada by stepping out into the markets of the world and drawing the wealth of the world to Canadian centres, and I tell you gentlemen, you will see a great increase in the price of land from one end of Canada to the other in consequence and you will see a large increase in our towns and cities. Now, with regard to the number of cattle, sheep and pigs in Great Britain, as an evidence of the increase and development of agriculture there, we find that the number of cattle in the two years between 1889 and 1891 has increased by 713,000 head; the number of sheep has increased by 3,100,000 head. The increase in pigs during the same two years was 377,000. Does that look like agricultural depression? It does not look much like it when those enormous figures are reached as the increase only in two years. However, I will go on and show you more. This is a report of Mr. Connolly, our Government agent in Dublin; and he shows, quoting from Irish returns, that in 1891 there were exported from Irish ports 646,000 head of cattle, 799,000 sheep, 527,000 swine, and 36,000 horses. There are 5,000,000 people in Ireland, and they are able to maintain an export of 646,000 head of cattle. This is an internal return and does not appear in the trade returns of Great Britain, but it shows that free trade Ireland exports to free trade England 646,000 head of cattle, 36,000 horses, 799,000 sheep, and swine, 527,000. Now, let us compare these figures with what we are able to show in our export trade from agricultural Canada. We have a population of 5,000,000 and good soil and a large quantity of it, and we can make no showing such as that. With regard to the prices that they get for those cattle, the following table gives the average price per hundred weight, live weight for fat cattle and sheep sold in the Dublin market in the month of December, 1891, as issued by the Irish Land Commissioners:—

Cattle 7½ cents per pound, live weight.	Lot prices.
Bullocks 7½ cents a pound, live weight.	"
Ewes, 7 cents per pound, live weight.	"
Wethers, 7½ cents a pound, live weight.	"

Now those hon. gentlemen who are acquainted with the agricultural interests will know that seven and a half cents a pound live weight is a very remunerative price and 646,000 head of these cattle, or I presume, a large number at those prices were exported from Irish ports.

Hon. Mr. O'DONOHOE—My hon. friend will allow me to say to him that the cause of that is that the Irish people are not able to eat their cattle and the people of Canada can.

Hon. Mr. BOULTON—I live in the province of Manitoba where there are large numbers of new settlers from various parts of the world. I meet men from Germany, from Hungary, from Ireland, from Scotland and from all the countries of Europe, I might say. They are all around me, and I can assure you that those farmers that have come from Ireland do not answer the description given by my hon. friend in the slightest degree. They are remarkably capable, healthy, strong able-bodied men that bring with them a fair amount of capital—and fine families, more capital than the Ontario farmers are able to take from here into the province of Manitoba. We have of course the agricultural labourer who goes out with not quite so much means, but quick intelligence and valuable experience; and the fact that that statement is made is not at all reassuring to the people of Ireland I should think. Then we have in Limerick another evidence which is opposed to the idea of my hon. friend from Toronto, and that is with regard to the dairying. Here is a clause in this report which says:—

> Under the management of enterprising Canadians, Messrs. Cleeve Bros., the Condensed Milk Company, have, perhaps, the largest factory of its kind in the world at Limerick, where they employ about 500 hands. The milk of 9,000 cows is daily handled in the factory, and some 60,000 tin cans are manufactured each day for the conveyance of this milk in its condensed form.
>
> They have factories at Clonmel, Mallow, Hospital and Mill street, and between them all the milk of 16,000 cows is manipulated.
>
> The factory sends its tins of milk to most parts of the globe, and quite recently 200 cases sent to Sydney arrived there in splendid condition.

Then here is a letter from Cleeve Bros.: evidently Mr. Dunne or Mr. Connolly has written to him and they address him, "Thomas Connolly, Dominion of Canada:—

> 131 George Street,
> Limerick, 28th December, 1891.
>
> Thos. Connolly, Esq.,
> Dominion of Canada Govt. Agency,
> Dublin.
>
> Dear Sir,—Yours of the 23rd inst. to hand. You are quite right about the success of the creamery movement in Ireland being due to our skill and energies, and now Irish butter is coming to the front again, in fact we are getting better prices than any continental butter; and if the Canadian Government were to have the matter properly gone into, we see no reason, from our knowledge of Canadian dairying, why they should not produce a butter equal to ours.
>
> Yours faithfully,
> CLEEVE BROS.

Now, hon. gentlemen, there is a dairy interest in the south of Ireland. What I was quoting before was the Dublin market in the north;

this is the Limerick market in the south. Now, there are the evidences of industry, and prosperity for the Irish farmer the condensed milk industry, employing 500 hands to manufacture the farmers' product. Have not we got a capacity for employing 500 hands? Have we not the cows to do it with? Are we not able to enter into a manufacture of that kind? Have we not more Cleeve Bros. in our midst? What is there to prevent them from operating here? It is the economic conditions under which the people of Canada are working to-day. If we adopt a free trade system the same as the English and Irish people are doing, we can compete for that magnificent trade, the evidences of which are in our own blue books, furnished by our own Government agents. Now, I will give you some of the prices with regard to horses, from the report of Mr. Down, agent in Bristol:

> The following are the prices such horses fetched at some of the local fairs in September last. At Bristol fair:—

Heavy draught horses, from	£ 70	to	£100
Hunters, from 5 to 6 years old.	80	to	150
Carriage horses, as pairs....	150	to	250
Cart colts..................	40	to	50
Farmers' hacks, about......	45	to	55

> At Horncastle fair I notice that English hunters made from £70 to 210 guineas each, and Irish from 60 to 140 guineas; one or two really first-class animals making 200 guineas. There were but few carriage horses on offer, and and they were sold for about 150 guineas, the lowest price reported being 70 guineas. Surely these figures ought to entice the Canadian farmer to try his skill at horse-breeding.

That is valuable information for the Canadian farmers—valuable information for us, and these reports contain much more of the same character. We will transmit through the *Hansard* to the press the information contained in this; and I venture to say very few people of the country have had the facilities and opportunities of reading it. But hon. gentlemen may say the difficulty arises with regard to the freight rates. I quote those furnished by Mr. Dyke of Liverpool. Freight from Hanover, Germany: horses, $25 per head; River Platte, $40 per head; Canada, $30 to $35 per head—$10 better than the Argentine Republic, only $5 behind Germany. Then we take cattle: River Platte, $30 per head; Canadian $13 per head. Sheep: River Platte, $4.50 to $5 a head; Canada, $2.50. Butter: Copenhagen, Denmark, $11.25 per tub; Hamburg, Germany, $11.25; Canada, Strathroy, Ont., $11.50 and so on. You will see, hon. gentlemen, that in the matter of freight rates we are not behind other countries in reaching the best purchasing market the world offers and we are not behind in capacity to produce, and not behind in intelligence, and not behind in physical power. Then what is it that prevents us coming somewhere near the figures that those farmers who are working under a free trade policy are capable of doing, as evidenced in our public reports? I say, hon. gentlemen, that it is the economic condition under which our farmers are working and the economic condition under which the people of Canada are working that creates the difference. Hon. gentlemen cannot point to our freighting facilities and say that they are the reason; they cannot say that we have not the soil, that we have not as good and intelligent farmers as the world can show; but it is the taxes, not only the taxes that are raised for the purposes of carrying on the Government of the country, but the hidden taxes which the hon. Minister of Finance has let us into the secret of, in the question of coal oil. It is the taxes of $20,000,000 taken out of the labour of the country, plus the hidden tax which make it a burden upon the industrial life of Canada of $50,000,000 a year. I venture to say that the $20,000,000 of taxes which the people have to pay towards the revenue is increased by the hidden tax to which the Minister of Finance has referred to $50,000,000. Upon inquiry before such a commission as I suggest, we will be able to ascertain how far the purchasing power of the country is borne down by the taxation on labour, and how far it is borne down by the hidden tax which is consequent upon the protective policy, and have these hidden taxes brought to light. There is one other point I ought to draw your attention to, so far as the labouring population of Great Britain is concerned, and that is the economy with which they are able to supply themselves. The *Mark Lane Express* is authority for the statement that Great Britain is the only country in the world that gets the benefit of cheap wheat and cheap bread. In Great Britain to-day 280 pounds of Minneapolis flour is reported as being sold for one guinea—that is, a trifle over $5 for 280 pounds of flour shipped from the Minneapolis mills to Great Britain. Now, I saw it stated in a paper in St. John, N.B., which is a purchasing market for the flour of the country, that flour had gone up 20 cents a barrel, and now touched $5. In St. John, N.B., flour is $5 for 200 pounds; in free trade Great Britain flour is worth $5 per 280 pounds. There is the difference. Two hundred and eighty pounds of flour, shipped from our western country away across the ocean to Europe, is sold in Great Britain for $5; and the people of New Brunswick, in the agricultural country where the flour is grown and where the protection is put on for the supposed benefit of the people who eat the bread and the people who grow the wheat, have to pay the same for 200 pounds of flour as the people in Great Britain pay for 280 pounds. But that is not all. As to the price of bread the *Mark Lane Express* is authority for the statement that a four-pound loaf of bread is sold for 3¾d. in the east end of London among the labouring classes; in the west end of London it is sold for 7d. per loaf where everything is done on a more expensive and extravagant scale. In Chicago where the wheat comes from, the cost of a four-pound loaf is 1s. I could hardly believe that such a statement could be true that in Chicago, where the wheat first leaves the elevator, the price of bread is 1s, and away in a distant land, after paying freight that same article is sold for 3¾d. or 7½ cents. I would not believe such was the case if I had not come across a clipping in the Buffalo *News*, which I will read for the information of the House because it confirms what the *Mark Lane Express* is reported to have stated in their columns. This is from the Buffalo *News*:

> Bread and butter are luxuries in which only the wealthy people of New York can indulge—working people are forced to buy bread a day old, while the unemployed are thankful to get the second baking that is old bread soaked and rekneaded with scrapings and baked again. Stale bread sells at half-price and second baked at one-third of the regular price.
>
> Here are the prices that prevail at the local bakeries:—White bread, 1 lb. 5 cents; rye bread, 1½ lbs. 8 cents; milk bread, 1¼ lbs. 8 and home-made bread, 1½ lbs. 8 cents. Elgin butter made in Elgin, Ill., months ago retails at 38 cents. Oswego, N.Y., butter is 44 cents. Long Island butter, 55 cents.

Now, there are some of the prices that the labouring people in the city of Buffalo have to pay for their bread. In free trade England the labouring population can obtain the four-pound loaf for seven and a half cents, and the labouring population in the city of Buffalo have to pay twenty cents for their four-pound loaf. Thank God, we have not got to that yet in Canada. In almost any part of Canada, you can buy a four-pound loaf for ten cents.

A VOICE—Eight cents.

Hon. Mr. DEVER—Oh, no, not eight cents; a two pound loaf costs six cents.

Hon. Mr. BOULTON—I do not think you can obtain a four-pound loaf of the best flour for eight cents, but you can for ten. I am not at the present moment comparing these prices with Canadian prices; but if the hon. leader of the Senate on behalf of the Government proposes to continue the protective policy and to extend to the farming population the same protective policy that they have been trying to foster our manufacturing power with, we may very soon expect that the consuming population of Canada will pay more than ten cents a pound for a four-pound loaf; because if protection does anything it restricts competition; it not only restricts competition in those articles which are protected in the first place, but it restricts generally the interests of the country; everything is worked from a high standpoint, from a presumed high stand-point and a high scale of prices.

Hon. Mr. BOWELL—You ask the same kind of protection as granted to the manufacturer. What are the protections they should have would you suggest?

Hon. Mr. BOULTON—An export bounty on sugar; an export bounty on butter.

Hon. Mr. BOWELL—I was not aware that our farms produced sugar before.

Hon. Mr. BOULTON—This is what the Government proposes to do. And one of the last acts of last session was to prolong the sugar bounty for two years to change agriculture from dairying to sugar growing. I am very much opposed to it. I understand the Government policy is to continue the protective policy and rearrange the tariff by giving the farmers protection for their agriculture.

An hon. MEMBER—You do not approve of that?

Hon. Mr. BOULTON—No, because I say it is no protection to agriculture and I can show it to you in the flour that goes to New Brunswick and is sold there for $5 a barrel. We had to sell our wheat in the province of Manitoba for forty-five and fifty cents and the millers, who are protected to the extent of seventy-five cents a barrel, derive the profit from that, the farmer does not get it, the export value in free trade England governs our price. Now, what is the result so far as our gristing is concerned? That there are fewer men employed in gristing to-day than in 1881; the census returns show that there are fewer men by 200 employed in gristing than there were in 1881.

Hon. Mr. BOWELL—I think you might go back twenty years and say the same thing.

Hon. Mr. BOULTON—If a protective policy reduces the number of men employed in such an important thing as gristing—I do not mean from the manufacturer's stand-point—but so far as the country is concerned, where does their protection come in? The moment we limit the producing capacity of our manufacturers we reduce the consuming power of the people.

Hon. Mr. McCALLUM—We grow the flour.

Hon. Mr. BOULTON—Yes, but the protection does not help that. What I am endeavouring to show is that, under the free trade policy where competition is encouraged in every phase and in every form of life, so that they are able to get their four-pound loaf for seven and a-half cents, in the country to the south of us they have to pay twenty cents for the same four-pound loaf: I refer to the city of Buffalo and the city of Chicago.

Hon. Mr. McCALLUM—Skinflint cities

Hon. Mr. BOULTON—Yes; but that is what protection does; if we continue in the career of protection we have been pursuing for the last fourteen years, we must expect to develop false commercial principles among the people. Now, hon. gentlemen, I wish to show what the history of the free trade policy is, in its initiation in the year 1846, the manner in which it was brought about, and the results which flowed from the adoption of that policy. One of the first movements toward free trade was made in the year 1838, when new light came in upon several prominent men, such as Cobden and Bright and others. They undertook a crusade against the protective policy in Great Britain, which had prevailed for 400 years and which had gone through all kinds of varying modifications and extensions during that time. There was one peculiar and notable change on one occasion—the import of wool was forbidden in order to keep up the price. Finding that that did not operate a law was passed requiring that everybody that was buried should be buried in woollen shrouds, thus hoping to increase the consumption. All sorts of plans of that kind were resorted to in those days, which may be considered dark days in the light of to-day.

Hon. Mr. McMILLAN—Did they not prevent them wearing calico dresses as well?

Hon. Mr. BOULTON—Yes, and adopted other means to attain the same end. A protective duty was given to the farmers under the Corn Law. It culminated in 1846 by both the farmers and the manufacturers complaining of the burdens they were resting under. It took eight years for Cobden and Bright to educate the people of Great Britain to the adoption of this new commercial idea that had come into their minds—something that the people had never realized, something that the people of the most intelligent and highly educated character had never realized as a sound policy, very much as many of our friends here in Canada do not realize that we can throw down our barriers while the United States keep up theirs, and yet hold our own. But as I say, it took only eight years for Cobben and Bright and their associates to convince the people from one end of the British Isles to the other that this policy, which was adopted through their efforts and which was at that time purely an experiment, purely a theory—it only took them eight years to convince the people of Great Britain in opposition to the strongest protective power not only of the manufacturing population but of the landed interest as well who were supposed to be enjoying the benefit of the Corn Laws—it only took eight years to educate them up to a sense of the advantages that would accrue from the adoption of this policy, and who was it that adopted it? In 1841, Sir Robert Peel, a Tory, fought the battle at the general elections upon the policy of protection *versus* this new theory of Cobden and Bright which had been promulgated about two or three years previously, and his Parliament and his government were returned to power by about 150 majority in 1841 pledged to protection. They fought protection through the whole of that Parliament for six years up to 1846 step by step with those opponents, those men who were trying to introduce a free trade policy, until finally they themselves became converted and were obliged to yield to the conversion of the whole of the people of Great Britain and bring about a free trade policy in direct opposition to the policy on which they had been elected five years previously. I have taken the trouble to select some of the quotations from the speeches of the statesmen of that day, some of whom are living to this day, and I will first read to you what the Right Hon. Mr. Gladstone had to say in 1844 or 1845. Gladstone's great policy was reciprocity such as our present Government is proposing and such as the Opposition have been proposing, only in a different form, one unrestricted reciprocity the other partial reciprocity, but Cobden and Bright refused to have anything to do with reciprocity. They denounced it as a political makeshift. They said it had no common foundation in the new commercial theories they had taken up. But this is the way that Gladstone argued the question. He said :

> So long as it is wise to exclude the products of a foreign nation by tariffs levied for the protection of our own people, against the competition of these products, it must be unwise to admit them unless that nation will pay for their admission by a corresponding concession in regard to our productions; and that these mutual concessions must be made and guaranteed by treaty. Under those circumstances, he said that it was not wise to fetter the Government by an abstract declaration.

In reply to the above Lord Howick said :

> You ought to consider at once, and without reference to foreign countries, the means of reducing your import duties, and if foreign countries neglect to follow your example, their own commercial loss will be their punishment.

You will see that Lord Howick had realized what the full force of Cobden and Bright's contentions were in the matter. Gladstone claimed a longer trial for the existing law, and our Finance Minister asks in his Budget speech for fifteen years. Fifteen years more protection, hon. gentlemen, will fix the country more firmly under the heel of monopoly—

> Mr. Gladstone claimed a longer trial for the existing law. He contended that the experience of its operation had fully indicated the statesmanship of the Government and had realized all their expectations. He condemned the agitation of the League as productive of the most mischievous consequences, and declared that if Parliament continued to argue the question it would unsettle business, and be injurious to every interest in the country, and especially to the public credit. Amid great cheering from the Tory side, he claimed stability for the decisions of Parliament, and trusted that the House would not disturb the settlement that had been arrived at after a fair examination and adjustment of conflicting interests, and which adjustment had been put into law by the compromise measures of 1842.

This was the tariff policy that had been initiated by Sir Robert Peel before the adoption of the free trade policy. I have no doubt that some gentleman will say that what I am advocating is almost as mischievous.

Hon. Mr. KAULBACH—Harmless.

Hon. Mr. BOULTON—I am glad to hear I have so far converted the hon. gentleman. There are the sentiments of one whom hon. gentlemen will acknowledge to be one of the most distinguished statesmen the world has ever known, even if they should differ from his opinions. There are the sentiments he expressed when he was following out the protectionist theory only two or three years before he changed his mind and adopted free trade. Now what does the leader of the British Government say to-day with regard to that free trade question? Speaking to the electors of Midlothian in November, 1885, he said :

> "I do not deny that there is distress, but it is greatly less than it was before the free trade reformation. When that reform began, trade increased to a degree unexampled in the history of the whole world. Periods of distress have been due to special causes which have been beyond human agencies to deal with. Such times of hardship have become almost, if not absolutely unknown owing to the blessed effects of free trade. The country has made a great step forward and will not go back." Then pointing to the mountains in the distance, he said : "You might as well try to uproot the Pentlands from their base and fling them into the sea."

Now, there are the sentiments expressed by the Right Hon. Mr. Gladstone in 1885. I have read the sentiments he expressed in 1845, sentiments which were followed by a complete reversion of his policy and of the ideas which governed him by adopting the free trade policy promulgated by Cobden and Bright in those days. Now, this is what Sir Robert Peel said, in one of his speeches when he had received the light from Cobden and Bright, when he had made up his mind to adopt the free trade policy and was arguing for that policy :

> Show me one relaxation, one removal of prohibition which has not contributed to the advantage of the great body of consumers. I will go further, I will show you that the removals of prohibition have contributed, not merely to the general weal and advantage of the consumers, but that they are perfectly consistent with the permanent benefit and increased wealth of the producer. He then enforced his challenge by some startling statistics showing the increased importation of timber under the reduced tariff, which increased supply has stimulated shipbuilding and every trade of which wood was the raw material. A reduction of the tariff on silk and its materials has been followed by the increased prosperity of the silk trade. For centuries the English manufacturer has been protected by a high tariff against the "pauper labour of France." He exclaimed, "Look at the state of your silk trade at this moment." The French have long been accustomed to plume themselves upon their silk manufactures. But it may, perhaps, surprise a few of those who are listening to me, to learn that last year, with our relaxed tariff, we actually exported to France more silk than we exported to the whole universe in any year of the protective system, and there is no branch of manufactures in which the same improvement is not observable.
>
> The manufacturers of this country have free access to the raw materials which constitute the fabrics of their manufactures. I am entitled therefore, I think, to call upon the manufacturer to relax the protection which he enjoys."

Sir Robert Peel then criticised as unjust and unwise all the protective taxes on the clothing of the people. He said :

> In dealing with the clothing of the great body of the people, I call upon the manufacturers of the great articles of cotton, woollen and linen to relinquish their protection.

These are some of the sentiments which show on what basis Sir Robert Peel was arguing when that great free trade struggle was going on in 1846, and after he had become converted. Those remarks show you how similar the question is before the people of Canada to-day, and not only before us but before the people of this whole continent. It only shows you that exactly the same difficulties and troubles were pressing upon the people of Great Britain in 1845, that are pressing upon the people of this continent in 1892. How was that policy brought about ? To show you how the leaders of both parties gradually united in establishing free trade, for you must recollect the people of the country were agitated from one end to the other : the Free Trade League was holding meetings in every city and town, and money was being raised and the greatest activity ever seen in political agitation was going on throughout the United Kingdom. On one night alone there was $1,250,000 raised by private subscriptions to aid the efforts being made to overturn the protection which was holding down the people of England. How was free trade eventually brought about ? By a union of Lord John Russell and Sir Robert Peel, in the interests of the country. To show how the leaders of both parties gradually united in the interests of the country to establish free trade, Lord John Russell said :

> Considering the plan of the Minister as a great measure, a measure that is to lay the foundation of a completely new principle with regard to our commercial legislation—the principle being neither to foster one trade nor the other, but to leave them to "flourish or fade" according to the energies and skill of the people, and believing that is the sound principle, I am prepared to give every support I can to the plan brought forward by the right hon. gentleman.

That was the first time that Lord John Russell had given in to the principles on the floor of the House of Commons, but Sir Robert Peel could not persuade his Government to adopt that policy, and the consequence was he resigned. With the exception of Sir James Graham, they all refused and continued to be protectionists, and all resigned. Then Lord John Russell was called upon by Her Majesty to form a Government, and after a fortnight trying to form a Government in a protectionist parliament, he gave it up, and confessed his failure, although Sir Robert Peel wrote to the Queen, and told her that if Lord John Russell could form a Government out of the material existing in Parliament at the time, he would give him his cordial support and co-operation. Notwithstanding that, he failed, and Sir Robert Peel was again called on to form a new Government. He then invited all his old colleagues to come in and help him to carry out his policy, and if they did not wish to carry it out, then he would select other men, and on his invitation his old colleagues with one or two exceptions, the Duke of Buccleugh and Lord Stanley, joined him. With the same Parliament, and almost the same Government that had been elected on a protectionist policy five years before they had all become converted by the arguments of Cobden and Bright and the Free Trade League, and these great Tories, the Duke of Wellington and Sir James Graham, Gladstone, and all of those statesmen that Sir Robert Peel had for his colleagues, turned over and became converted to the free trade idea, and there they have stood to the present day. As Gladstone said, you might as well try to move the Pentlands from their base as to try to get the people of Great Britain to depart from the policy of free trade which they adopted in 1846.

When Sir Robert Peel resigned upon the refusal of his cabinet to unite to bring about the new policy so powerfully argued for by Cobden and Bright and the free traders, he said that he would offer no factious opposition to the Government or those who had thrown him out of office. He promised to support Lord John Russell's administration in carrying out the new commercial policy. He said: "If that be the policy which will be pursued, I shall feel it my duty to give to his Government my cordial support. I presume that Her Majesty's Government will adopt that policy—and that if other countries choose to buy in the dearest market, it will be no discouragement to them to permit us to buy in the cheapest." He then advised Lord John Russell to abandon the "treaty" and "reciprocity" system in his foreign commercial policy. "I trust," he said, "that the new Government will not resume the policy which they and we have found so inconvenient, namely, haggling with foreign countries, instead of taking that independent course which we believe to be conducive to our own interests."

How applicable that is to the subject before us to-day, to the commercial and political position that we occupy here in Canada at this time! Those very words might be uttered here on the floor of the House of Commons or in the Senate and be applicable to the commercial position of the people of Canada at this time. To show you how completely many statesmen had become converted in those days, Mr. Robinson had moved when a member of the House of Commons for the enactment of the Corn Laws in 1815: as the Earl of Ripon in the House of Lords he moved the second reading of the Bill for their repeal in 1846. He confessed in a straightforward way that he had been converted; and anticipating the charge of inconsistency, which he knew would be fired at him, he said:—"I know you can extract from the records of this House language and sentiments of mine different from those I utter here to-night; but I take no shame to myself, because the only time to regret any change of opinion is when it proceeds from a bad motive." The hopes of the protectionists now rested upon Lord Stanley in the House of Lords and to the cry of "On Stanley, On" he was urged to upset the Bill in the Lords, but the Duke of Wellington and others had so much confidence in Sir Robert Peel's judgment they passed it. The same Lord Stanley (at least I presume it was the same), as Lord Derby, was waited upon some 20 years ago by a deputation of farmers to petition for legislative relief in some form to check agricultural depression, told the deputation "If you cannot farm profitably with the plough you must then try the spade." His views had changed, although closely identified with the agricultural interests. He no longer looked upon protection as a panacea for depression in the value of land or its cultivation.

Then again Sir James Graham was twitted for his change of opinion by some members of the House of Commons: they said if the Government have changed their views, let them manfully own it, and Sir James Graham said: "We have changed our views and, when I say that, I remove all the speeches that I made in favour of protection before." The day that the Anti-Corn Law Bill passed the House of Lords, Sir Robert Peel was defeated on the Irish Coercion Bill. Lord Brougham, in the course of debate at the end of his remarks, paid a fine tribute to "the public virtues, the prodigious powers of mind, and the immense courage" of Sir Robert Peel, who, he said, "had cast away all private and personal considerations, had disregarded his own interests, had given up his right to power and superiority, and had exposed himself to the most tempestuous and troubled sea that the political world had in modern times ever exhibited, who had given up what to an ambitious man was much—the main security of his power; he had surrendered what to a calculating man was much, his influence and authority with his party, and he had given up what to an amiable man was much, viz., private friendship and party associations. All these sacrifices he had made with his eyes open in order to discharge what he deemed a great public duty." Then, again, hon. gentlemen, we have the utterances of Sir Robert Peel when he was announcing his resignation. He said :

> Sir, I shall leave office, I fear, with a name severely censured by many honourable gentlemen, who, on public principle, deeply regret the severance of party ties ; I shall surrender power, severely censured, I fear again, by many honourable gentlemen, who, from no interested motive, have adhered to the principle of protection as important to the welfare and interests of the country ; I shall leave a name execrated by every monopolist, who, from less honourable motives, maintains protection for his own individual benefit ; but it may be that I shall leave a name sometimes remembered with expressions of good will in those places which are the abode of men whose lot it is to labour, and to earn their daily bread by the sweat of their brow—a name remembered with expressions of good-will, when they shall recreate their exhausted strength with abundant and untaxed food, the sweeter because it is no longer leavened by a sense of injustice.

Those are the noble words uttered by one of the greatest statesmen to whom has ever fallen the lot of guiding the destinies of England. It was under such circumstances that the free trade policy under which Great Britain exists to-day was brought into existence in the manner I have shown. It is an interesting record ; it is interesting to recall the history of those times, because we move in cycles. The same thing that oppresses the world to-day will oppress them fifty years hence. You cannot put old heads on young shoulders ; we all have to buy our experience. What I contend is, we have bought our experience in Canada for fourteen years, and I think that the time has come when it is wise for us to consider that a change is necessary, and in the direction of the policy which has brought prosperity to that country. They have set us an example ; they have helped to civilize and christianize the world, have the free and liberal principles which govern the commercial life and the political life of the people of Great Britain. Now, it will be necessary to show how far the prosperity of the people of Great Britain has been promoted by the adoption of the commercial policy of 1846. I wish to show what the increase of trade was, following the adoption of the commercial policy of 1846. I have here a small book called "Farrar's Free Trade," by Sir Thomas Farrar, giving all the various stages through which various countries have gone, and also the increase from year to year in British commerce, and it is from that I am quoting in putting before you facts and figures in order to show what prosperity followed upon the adoption of free trade in England. The total trade in 1810 was $665,000,000. Thirty-four years afterwards, in 1880, it was $3,485,000,000. In 1890, ten years later, it had again made another leap to $3,720,000,000. The imports in 1840 were $310,000,000 ; thirty-four years afterwards they had jumped to $2,055,000,000. The exports in 1840 were $210,000,000. In 1882 they had jumped to $1,115,000,000, and in 1890 to $1,570,000,000, an increase of nearly $500,000,000 in ten years. Then take the shipping, British sailing vessels in 1850—the navigation laws were not repealed until 1850—they had the same protective policy for their coasting trade and navigation that we have in Canada to-day. In 1850 they had 17,000 sailing vessels with three millions of tonnage and 414 steamers with a tonnage of 108,000 tons. In 1880 the sailing vessels remained stationary as far as numbers were concerned, but increased in tonnage by one million. The steamers had increased from 414 to 3,789. Now you see that the free trade policy in thirty-four years had increased the number of steamers by 3,375. The sailing vessels remained stationary with regard to numbers, but increased a million of tons. The steamers, from 1880 to 1889, again increased 2,000 vessels, with an increase of tonnage of nearly two millions of tons. What is the history of the shipping of Canada in the same period? A decrease. Although we are second in importance so far as our coasting and fishing trade are concerned, and we have the best facilities for carrying on a magnificent trade all over the world, and attaining the same result that has produced such great benefits for Great Britain under a free trade policy. We have inland navigation from the head of Lake Superior to the ocean, and the same ocean facilities are open to us for conducting the same trade that the people of Great Britain have developed in the last half century. Nevertheless we have decreased our shipping from 1,300,000 tons to 1,000,000 of tons in the past decade, while Great Britain has increased the number of steamers owned and employed by her to carry the trade of the country by 2,000 vessels with an increase of two millions of tons in tonnage. There is an illustration in comparing free trade with protection. Then again take the tonnage entering and clearing. The excess of British tonnage entering the United Kingdom for 1850 was 3,545,000 tons. That is, the excess of British over foreign, and in 1880 that had increased from 3,500,000 to 23,900,000—that is the excess of British over foreign. In 1840 the total of all tonnage entering and clearing was: British, 6,940,000 tons; foreign, 2,949,000 tons. The British tonnage clearing between 1840 and 1880 has increased from six millions of tons to forty-one millions of tons of British vessels alone, and seventeen millions of tons of foreign vessels. There we have a total tonnage of 58,000,000 in 1890 against 9,000,000 in 1850. There are thirty years with 50,000,000 tonnage increase in the carrying trade of the people of Great Britain. Now, hon. gentlemen, I would like to say, with regard to our own increase of tonnage entering here, that the returns show a very great increase, a very large increase, but what is that increase? That increase is not the foreign trade such as this of Great Britain; recollect there is no coasting trade in this; but the vessel that leaves Seattle and goes to Vancouver is given as entering and clearing. The ferry that runs between Vancouver and Seattle is called entering and clearing, and all the vessels of that kind are entering and clearing.

Hon. Mr. BOWELL—It is not a ferry.

Hon. Mr. BOULTON—It is not what we call foreign trade; it gives a false impression.

Hon. Mr. BOWELL.—It is from one country to another.

Hon. Mr. BOULTON.—There is nothing dishonest in putting it in in that way, but it is perfectly honest for me to draw attention that it is only a daily service across fifty or sixty miles of ocean between two countries that lock their doors on one another's trade; and we have the same kind of service between Rochester and Cobourg and across the Niagara and Lake Erie and across the St. Lawrence.

Hon. Mr. KAULBACH.—The same as between France and England.

Hon. Mr. BOWELL.—And half a dozen other less distant points.

Hon. Mr. BOULTON.—There are individual cases in Great Britain where probably the distance is just about the same. But Britain does not lock her door; she directs the world's highway past it. Now we know perfectly well we have no trade with our 5,000,000 in Canada like the trade of Great Britain, and that when we put 43,000,000 entering and clearing, alongside of the 58,000,000 tons of Great Britain entering and clearing, it should be explained how those figures were arrived at, and that it has not the same bearing nor the same meaning at all as the 58,000,000 tonnage that has been developed by the people of Great Britain under their free trade policy.

Hon. Mr. POWER—If the hon. gentleman would be kind enough to state the amount of the imports and exports of Great Britain as opposed to those of Canada, a better estimate could be formed of what the ships carried.

Hon. Mr. BOULTON—We know what our imports and exports are. I think they have reached something like $240,000,000 our total trade; whereas the total trade of Great Britain is $3,750,000,000.

Hon. Mr. BOWELL—Better make it *per capita* while you are at it, and it will be complete.

Hon. Mr. BOULTON—It is easy to arrive at it *per capita*; but I will give the hon. leader the *per capita* of our export trade. It has decreased *per capita* $2 between 1880 and 1890, our export trade has decreased from $24 to $22 per head under the protection policy, and our import trade has remained stationary, and the export trade of Great Britain has increased by the sum of $250,000,000, while the export trade of Canada has fallen $2 per head in the last decade. The Trade and Navigation Returns show that, by reference to the last Year Book issued by the Department of Agricultre for our information. And now I will give the hon. leader of this House some figures given out by Sir John Lubbock, president of the Board of Trade, who occupies one of the most prominent positions. At a meeting of the London Chamber of Commerce, Sir John Lubbock, in an address on some of the recent aspects of commerce, gave the following figures to show to the people of Great Britain that the free trade policy was doing all that it could be justly called upon to do. He said:

"In 1881 the total British trade was £694,000,000; last year it was £744,000,000, an increase of £50,000,000." Then he says, "but hon. gentlemen may say that other countries have done just as well, and he compares the total trade of Great Britain with the total trade of France and the United States, two protective countries, one in the immediate neighbourhood of Great Britain, and the other on this continent, and he showed that the total trade of France was £383,000,000 in 1880, and £368,000,000 in 1890. The United States was £311,000,000 in 1880, and £340,000,000 in 1890." This last estimate is different from the other, because he has not included what he has called the foreign trade."

Hon. Mr. DEVER.—Very nearly double.

Hon. Mr. BOULTON — Very nearly double. Now, what does that mean? That the decrease in that decade for France was £15,000,000; that the increase for the United States was £29,000,000—60,000,000 people with an increase in the producing power of the people by immigration of £12,000,000 throughout that decade. Their increase was only £29,000,000, and the United Kingdom had an increase of £49,000,000. Those are the figures he gives out to compare with the two protective countries. Then he shows what the exports of France are. In 1880 they were £138,000,000 and in 1890, £150,000,000; the United States, £171,000,000 in 1880, and £176,000,000 in 1890; the United Kingdom, £223,000,000 in 1880, and £262,000,000 in 1890. Now, hon. gentlemen, the increase in France was only £12,000,000, and the increase of the exports of the United States was only £5,000,000 and the increase of the United Kingdom was £39,000,000. Now, I have given you the figures with regard to the exports and imports. We all know what our own exports and our own imports are. They amount to about $240,000,000; and those are figures that cannot be refuted, because they are the figures given by one of the most distinguished men in Great Britain upon trade questions, and a man who sat at the head of that great conference that was assembled last year from all parts of the British Empire to consider the commercial question, to consider questions of interest between the colonies and Great Britain. Sir John Lubbock was the chairman of that convention; and it was to quiet the agitation that had arisen in Great Britain in consequence of the fair trade movement that he stated those figures for the information of the people of Canada, and for the guidance of the people of Great Britain themselves, and I think comparing what Great Britain has accomplished, what Canada and what France have accomplished, and what the United States have accomplished, it is a great showing in favour of the policy of free trade in Great Britain.

Hon. Mr. READ (Quinté)—You have not given us the increase of population during that period.

Hon. Mr. BOULTON—I will give you that. I am glad you reminded me of that. The increase of population during that period has been two millions.

Hon. Mr. READ (Quinté)—More than that.

Hon. Mr. BOULTON—No, sir.

Hon. Mr. READ (Quinté)—I know better.

Hon. Mr. BOULTON—The population was 34½ millions in 1880, and the population in 1890 is, I think, 37 millions, so it is about 2,500,000 of an increase. Now, I wish further to draw the attention of the House to a tabulated statement that has been given to us by Sir Thomas Farrar upon the trade policy and the increase of trade in Great Britain, and there are four items put down here to show an evidence of the prosperity and the increased prosperity of the people of Great Britain: that is the consumption of spirits, the consumption of sugar, of tea and of flour; and I am very happy to be able to say here that although there has always been a very great deal of talk in consequence of the free trade policy, that the drink bill of England is paying the debt and paying the taxation, the evidence in this return shows that is not the case. In 1840 and 1846, when free trade was brought into force, the consumption of spirits was 1·01 gallon per head of the population, and in 1884, which is the last date to which this return is brought down, the consumption of spirits is 1·04 gallon, so there was only an increase in the consumption of spirits of ·03 per head of the population between 1844 and 1884.

Hon. Mr. DEVER—$6.50 a head, tobacco and spirits; that is higher than ours.

Hon. Mr. BOULTON—Then in the consumption of tea, it shows that it increased from $1\frac{1}{2}$ lbs. in 1846 to 5 or nearly 5 lbs., $\frac{1}{10}$ of a lb. less than 5 lbs. in 1884. The consumption of sugar increased from 19 lbs. in 1846 to 72 lbs. in 1884; the consumption of flour increased from 40 lbs. in 1846 to 251 lbs. in 1883. So that you see the increased prosperity of the people of Great Britain did not indicate an increase in their luxuries or dissipated habits, but it redounded to the benefit of the solid comfort of the people by an increased supply of those comforts of life which added to the enjoyment and prosperity and comfort of the great labouring population that produces the results I have shown you in the trade and commerce of the people of Great Britain. Now, hon. gentlemen, they have to purchase those supplies from countries like Canada and the United States and India and Russia, and all over the world; they have to be transported and pay carriage, and they are able to purchase those supplies, able to pay the transportation rates and able to supply themselves with that enormous consumptive power which is greater than Canada possesses and greater than the people of the United States possess, certainly as regards sugar, certainly as regards tea, and I think as regards flour: and their purchasing power is so great under the free trade policy that they are able to increase their consumption of those articles that contribute to the prosperity and comfort of their families, in consequence of the free trade policy which they are working under. There are many more interesting statistics that I could bring before you, but I think that I have brought quite sufficient to show you that so far as the prosperity of the people of Great Britain is concerned under their free trade policy, there is no country on the face of the earth that enjoys the same advantages, the same benefits from high wages, the same purchasing power of those wages as the people of Great Britain enjoy under the free trade policy or economic conditions that they are working under to-day, and I have become so thoroughly convinced from reading the statistics, from studying the conditions, that if the same economic conditions were applied to the labour and industry of Canada the same beneficial results would flow to every industrial worker in the country; and out of that industry that is engendered in consequence of that policy, the wealth of the country would increase and be distributed in an equitable manner over the whole population of Canada according to their physical and intellectual power. Now I have dealt with the population of Great Britain; I have shown you how the free trade policy was brought about; I have shown you what prosperity has issued from it and what prosperity the people of Great Britain have enjoyed and are enjoying to-day from it. Now I have to take up the question of the protective policy of Canada in order to show how far that has failed in its purpose to satisfy the people of Canada in the hopes and ambitions that they set out to satisfy when they imposed that national policy in 1878; that is by adding to the purchasing power of the people of Canada, by adding to the population of Canada, to supply a home market for the agriculturists of Canada, by adding to the producing and exporting power of the country as shown by the trade returns, and by adding to the general prosperity, or rather the equitable distribution of profits, so far as shown through trade and navigation returns and other returns given to us for our information. With that object in view I have prepared a return here, hon. gentlemen; I have taken the statistics of 1881 and the statistics of 1891, and have put them side by side in this return, so far as the number of hands engaged in the manufacturing industry of the country is concerned. I cannot tell how many men are engaged in the farming nor in the mining nor in the lumbering; but we have a fairly complete and accurate return so far as the manufacturing is concerned.

Hon. Mr. POWER—No; not accurate.

Hon. Mr. BOULTON—Well, at any rate they are given to us. We have the word of the hon. gentleman who leads this House for it, that we can accept them as facts. I presume he is prepared to accept them as facts, and that is all I want him to do. So far as anything I may have to say may create an impression upon his mind to open it to a more liberal view as to what the commercial policy of Canada should be, if I could accomplish that I would feel myself the proudest man in the country.

Hon. Mr. POWER—It would require a surgical operation.

Hon. Mr. BOULTON—No; it is not such a heavy contract as you think for, perhaps. I have already shown you he is half a free trader, because he has taken the duty off tin in order to protect the people who are canning; and all I want is that the Minister of Trade and Commerce shall yield to the petitions of people from all parts of Canada to take the duty off binder twine and off iron, and take it off all these things, and when he responds to all the petitions submitted for his consideration, he will have adopted the very policy I am arguing for this afternoon. But I regret to say that the hon. Minister of Finance is going to take his stand upon protection and cast free trade to the winds. I am afraid there is very little hope for the free binder twine that Mr. McCarthy is asking for, or the free anything else that has been moved for, because you cannot make a stand between; there is nothing between protection and free trade. You cannot injure one factory and keep up the rest. You cannot deprive Mr. Stairs of the benefit of the investment of his capital and the people who are employed under him, and leave all the rest as they are; that would not be a fair thing; but if you take off all the duty and give Mr. Stairs an opportunity to work under a free trade policy, I have no doubt he will be one like Cobden and Bright, he will toss up both hands for free trade; but I think he certainly will be very much aggrieved, the same as the gentlemen engaged in the production of coal oil will be if they are going to be sacrificed in the public clamor for a general reduction. As I said, there is nothing between free trade and protection: you have to go the whole hog or nothing at all; and the whole hog to go is free trade with the world; that is going to carry the country through the next ten years with a great deal more éclat than any other decade of our national life has done.

An hon. GENTLEMAN—You are a prophet.

Hon. Mr. BOULTON.—Yes, I am a prophet. When I get these figures before me and see what has been accomplished in the past ten years, I think when you get these figures before you, sir, you will feel that you have some justification for saying I am a prophet. Now, I have prepared these figures, and I have divided the names of those that are engaged in the manufactures of the country under three heads. I have made a difference between those who are engaged in the preparation of our own home raw material, such as lumber, such as our saw-mills, grist-mills, planing-mills, paper mills, fish canning and curing, our creameries and cheese, our ship and boat-building, etc. Now, those are what I call preparing our own home raw material for market; and what do I find? I find in the saw-milling 42,000 men engaged in 1881, and in 1891 52,000 men engaged; that is 10,000 out of the 112,000 that the hon. Minister of Finance has advanced as an argument where the National Policy has done its work. Now, that does not, to my mind, show any increase in the manufacturing power of our lumber, but instead of sending our board timber and square timber to Great Britain, as we used to do before 1880, we are now sawing it into deals and into lumber and sending it to England or the United States. It does not show or prove any increase. It merely shows a transfer of the labour that used to be engaged in the square timber—because we all know that has fallen off and been transferred into the saw-milling—to manufacture deal or lumber for the foreign markets: so I do not consider that is any increase, or that that can be considered any contribution to the 112,000. In the flour and gristing, I find 6,476 in 1881, and in 1891, 6,296, or 180 less in 1891 than in 1881. That is not a good showing for one of our natural industries. Notwithstanding the development of our great North-west Territories and that we have added enormously to the growth of wheat there and built mills there, if these returns are correct we are employing 180 less men in one of our natural industries than we were in 1881. In planing and moulding there has been an increase. In the paper mills there has been only a very slight increase. Then we come to fish-curing and canning, which I referred hon. gentlemen to the other day. I have got it down here. In 1881 nobody is returned as fish-curing and canning. In 1891, 29,000. If you add that to the 10,000 saw-milling, you have 39,000 accounted for out of the 112,000 which we have heard advanced as an argument in favour of protection.

Hon. Mr. SCOTT—52,000 in saw-milling, you said.

Hon. Mr. BOULTON—An increase of 10,000, I said: I call it only a transfer from square timber to saw-milling. Then fruit-canning seems to be a new industry brought in: in 1881 nothing, in 1891 2,946. You cannot say protection has brought those men into existence.

Hon. Mr. READ—Protection brought that about.

Hon. Mr. BOULTON—I think I can give you an instance in regard to the fruit canning in Great Britain. There was a friend of mine who had a farm of 280 acres, and every acre of that 280 was down in small fruit—strawberries, raspberries, gooseberries and every conceivable kind of fruit. In consequence of the cheap sugar coming from Germany a great impetus was given to fruit-canning and preserving in Great Britain, and there was an agitation on the continent to do away with the sugar bounties. British statemen were urged to put on a corresponding duty to the export bounty of the continent, and in anticipation and expectation that that duty was going to be put on, to check and counteract the effect of the export bounty, just to the extent of the expectation that it was going to be put on down went the price of fruit. It was free sugar—it was free competition that enabled that man to cultivate that 280 acres, and he employed 400 pickers on that farm, simply for the purpose of taking his part in the farm industry; it was the free competition of the world's markets open to them, and the cheap sugar they were enabled to obtain from the continent, that sustained the industry. Now, I mention that in order to show that it was not protection that brought in that 3,000 men employed in fruit-canning. The protection is keeping them down. It is preventing them expending their energies and increasing their industries, and increasing their foreign trade and profit by export from Canada—what they might accomplish if they were working under a more economic condition.

Hon. Mr. BOWELL.—The hon. gentleman does not surely pretend to say that the imposition of a duty on sugar, in order to meet a foreign bounty system, was not justified?

Hon. Mr. BOULTON—I mean to say that cheap sugar brought into existence industries in the jam and confectionery lines which more than compensated for the loss of employment through the refineries. I had prepared this return of the number of people employed in the preparation and manufacture of home materials for market and they numbered in 1881, 88,000; 1891, 142,000, or an increase of 54,000 in that period. But, as I have shown you, 32,000 of those are engaged in fish-curing and fruit-canning, and 10,000 in lumbering, which accounts for 42,000 out of that number. Then we come to the manufacture of raw material, imported or partially prepared materials, which are manufactured and may be considered as brought into existence partially by protection, such as our woollen mills, our cotton mills, our sugar refineries, boiler-making, &c., and all those small industries that have been thus brought into existence. I find that in our woollen mills between 1881 and 1891 there is only an increase of 600 men.

Hon. Mr. COCHRANE—What are the numbers?

Hon. Mr. BOULTON—In 1881 it was 7,778; in 1891 it was 8,403. Then I find that in iron and brass fitting for some reason or other there is a decrease. There were 2,558 employed in 1881 and 1,367 in 1891. In carving, &c., there were 408 employed in 1881 and in 1891 only 215. Now we come to our agricultural implements that we have plumed ourselves upon, and in 1881 the census returns show there were 3,656 men engaged in the manufacture of agricultural implements. In 1891, ten years afterwards, we had only 3,887, or 200 men more employed in the manufacture of agricultural implements than there were in 1881. Now, what has protection done for this industry so far as increasing the home market for the people of Canada and for the agricultural productions of Canada?

Hon. Mr. McMILLAN—Did it not reduce the price of farming implements?

Hon. Mr. BOULTON—Not so much as if we had had the markets open.

Hon. Mr. KAULBACH—Prove that.

Hon. Mr. BOULTON—I will tell you if you take the duties off all that enters into manufacture of a binder you will find that the manufacturers of Canada can manufacture that binder twenty-five per cent cheaper than they are able to manufacture it now.

Hon. Mr. McMILLAN—Is it not a fact you can buy a binder, a reaper or a mowing machine for 50 per cent of what it cost before?

Hon. Mr. KAULBACH—They are cheaper here than in the United States.

Hon. Mr. BOULTON—You cannot put me off the track in that way. If you want to go into the question of the depreciation of prices that has taken place since 1878 I will explain that. I will show that there has been a depreciation since 1873 of 60 per cent in every article the world requires for its consumption, such as coal oil, tea, sugar, coffee, iron, steel—everything the world requires for its consumption—so it is no argument at all to say that binders are cheaper here now than they were before. Have we got our agricultural implements as cheaply as we could get them under a free trade policy?—that is the question.

Hon. Mr. KAULBACH—Have you added that 60 per cent to the value of our exports?

Hon. Mr. BOULTON—No, we have not, and I will tell you why, because while we will sell a binder to the people of Canada for $100 we have to sell it for $80 in Australia or Russia whenever we send it abroad to compete with the manufactures of other countries, but there has been no depression in the value of our main exports, such as lumber, fish, cattle, etc. Our exports of manufactures, however, are sent abroad at the expense of the people of Canada, and I will prove it to you. I have not gone into the question of the cost of American binders, because they have a protective policy in that country. In the North-west some people prefer an American-made binder to a Canada binder and will pay a higher price for it. It sells higher because there is 35 per cent duty on it.

Hon. Mr. McKINDSEY—Why do they get it, then?

Hon. Mr. BOULTON—Because they fancy that kind of a binder. I have been in shoemakers' shops and have realized that American manufacturers must offer some special inducement to sellers to shove off American goods on purchasers. Probably the very clerks in the shops may be getting 50 cents a pair for persuading you to buy American goods instead of Canadian goods.

Hon. Mr. McKINDSEY—It is the fault of the people.

Hon. Mr. BOULTON—It is, but that is no argument. What I claim is, that if you were to adopt a free trade policy we would not only be able to get our binders 35 per cent cheaper, but we would be able to increase the manufacture in Canada ten-fold by making them cheaper, because we could send them abroad to Russia or Chili or any country that requires them. We could teach the people of China and India to use agricultural implements.

Hon. Mr. KAULBACH—Why could you not send them there now?

Hon. Mr. BOULTON—I will explain that; but I would first say, that if you change the economic condition of Canada you will find more men like Mr. Eddy, who has for forty years made Canada his home and built up an industry here that is a pride to the country. British and American capital will compete for the establishment of factories and the development of our raw products, and trade and population will increase, our fine water powers will be opened out and electricity developed and the revenue, paying power of the people through the increase of population and the increase of wealth will increase. At present in the manufacture of a binder, which is a sample case, every single thing that enters into the manuture of a binder has to pay a duty of 30 per cent—bar iron a duty of 35 per cent. The nuts and bolts have to pay 30 per cent. The only things that are admitted free are the steel teeth in the binder. There is very little timber used, but that timber we may possibly have to import, so the manufacturer of agricultural implements has to pay, we will say, an average of twenty-five per cent on every single article he uses in the manufacture of the binder. The artizan who is working on it has to pay twenty-five per cent on every article he consumes.

Hon. Mr. McKINDSEY—Have not the Americans to pay 65 per cent?

Hon. Mr. BOULTON—I am not speaking of the Americans. We are independent of the Americans. What we want to do is to manufacture cheaper than they can, and beat them in the markets of the world.

Hon. Mr. KAULBACH—And make this a dumping ground for the refuse of the United States?

Hon. Mr. POWER—I think the question of order should be raised. It is most unfair that these interruptions should be continued.

Hon. Mr. McMILLAN—I think there should be a limit to the discussion of a question which is outside the business of this House, and especially when the hon. gentleman talks—I will not be so unparliamentary as to say rubbish, but something very like it.

Hon. Mr. SCOTT—Order!

Hon. Mr. McMILLAN—Well, it was too much to listen to.

Hon. Mr. BOULTON—The hon. gentlemen must not consider that the business of this House is limited to the divorce court. I am sorry that the views which I am pressing on the House should have touched up my hon. friend that he is anxious to choke me off. It is the best evidence that my arguments are sound and are telling. My hon. friend from Belleville tells us he introduced the principles of the National Policy in the Senate before they were introduced any where else. Why should not I introduce the principles of free trade and perhaps induce my hon. friend from Belleville to be the mover of a Bill to remove the protective features of the National Policy from the Statute-book. I think that the Senate is a very proper arena for such a discussion. We have the experience of age and of being engaged in all the varied pursuits of the country; and the hon. gentleman, if he will reflect for a moment that to-day large numbers of the population of Canada are petitioning for a removal of duties, will cease to consider my remarks rubbish. I think the time of the Senate can be properly utilized by bringing forward questions of this kind. It would be profitable to appoint a committee to take evidence on the subject. They could get Mr. Massey, of the Massey Manufacturing Company of Toronto, and other manufacturers of the country, to come down here and tell the House what their views on the subject are, and perhaps if they accorded with mine, the hon. gentleman would not then consider them rubbish. What I was going to say with regard to the binder is this—supposing a binder costs $60 to make it in a Canadian factory—supposing that every single thing that enters into the manufacture of the binder is subject to a duty of twenty-five per cent, and all the labour engaged in the manufacture of the binder has to pay twenty-five per cent on the articles required for consumption; take that duty off the articles required to go into binders and off the articles consumed by the labourer, and the manufacturer will be able to make that binder for $45 instead of $60. Now, what a difference that would make in entering the markets of the world—Russia, Australia and other parts of the world that require these implements—if we could enter them with a binder costing $45 instead of one that costs $60! One price means that export is prohibited; the other means there is an encouragement to export. Now, that is the way that I would explain the very question of the manufacture of our binders, and you can apply that in any direction to our manufactures. The hon. leader of this House, in his position of Minister of Customs, I have no doubt, will be able to recall an incident where a manufacturer came to him and said: We want the duty knocked off the wire that we require for manufacturing spring beds. The Minister of Customs made him bring evidence before him to show that no one was manufacturing that kind of wire in Canada. When he had gone to the trouble to prove that that kind of wire was not made in Canada, the Minister released that wire from duty and gave it to that manufacturer free of duty. What was the result? The result was that he has opened up a large trade with Birmingham, and he is sending his spring beds home to England, and has found a market there which was not open to him so long as he had to pay the duty of 35 per cent on wire that entered into the manufacture of his spring beds.

Hon. Mr. BOWELL—There never was such a duty.

Hon. Mr. BOULTON—I do not remember the exact amount of the duty, but whatever it was that duty was taken off. He gets out from Birmingham now the iron bedstead which he puts the wire mattress on and he pays for this by sending his spring matresses to Birmingham. There is a case where the article imported is paid for directly by the product of the industry of the people of this country. He utilizes our water power in Quebec, our beech and maple, and with the aid of the free importation of wire he maintains a brisk trade with Birmingham ; a further reduction of other duties will increase his profits and the comforts of his labour. Carrying out this theory of removing the burden of taxation from the people of Canada, we increase enormously the manufacturing industry, to the great benefit of all classes. Returning again to tables before me, I find that those engaged in the manufacture of imported or partially prepared raw material in 1881 was 31,369, and in 1891, 45,348, a difference of 14,000. I come now to another portion of the return and that is the manufacturing incidental to local necessities, such as printing, publishing, tinsmiths, tailors, carpenters, electric lighting and gas works and such industries, and I find that in those there were engaged in 1881, 98,000 ; and in 1891, 115,000, an increase of 17,000. What I contend is that in the first and last of those returns those engaged in preparing our raw material for market and local necessities were not in any way helped by protection ; our fruit and our fish, &c., are natural products, our logs are raw material —they are part of our capital, something that all countries do not possess. What I want is to have the labour of the lumberman cheapened by the remission of the duties that enter into his calling. The same with regard to grist mills.

Hon. Mr. McMILLAN—What about the revenue ?

Hon. Mr. BOULTON—I will show you to-morrow how the revenue is to be raised.

The debate was adjourned until to-morrow.

DOMINION BURGLARY GUARANTEE COMPANY'S BILL.

SECOND READING.

Hon. Mr. McMILLAN moved the second reading of Bill (15) "An Act to incorporate the Dominion Burglary Guarantee Company (Limited)." He said : The object of the Bill is to incorporate a company to indemnify those who lose through burglary. It is a sort of insurance company. The details of the Bill will be fully explained before the Committee on Banking and Commerce.

Hon. Mr. KAULBACH—Is not this a novelty in this country ?

Hon. Mr. McMILLAN—Yes.

Hon. Mr. ALMON—I shall move when that comes up that Nova Scotia be exempted from the operation of the Act.

The motion was agreed to, and the Bill was read the second time.

THE HAMILTON PROVIDENT AND LOAN SOCIETY'S BILL.

SECOND READING.

Hon. Mr. MACINNES (Burlington) moved the second reading of (Bill 19) "An Act respecting the Hamilton Provident and Loan Society." He said : The object of the Bill is to increase the capital stock of the company and to reduce their borrowing powers.

The motion was agreed to, and the Bill was read the second time.

BILLS INTRODUCED.

Bill (38), An Act respecting the Western Counties Railway Company, and to change the name of the company to the Yarmouth and Annapolis Railway Company.—(Mr. Power.)

Bill (25), An Act respecting the Grand Trunk, Georgian Bay and Lake Erie Railway Company.—(Mr. Power.)

Bill (31), An Act respecting the Central Counties Railway Company.—(Mr. Clemow.)

Bill (20), An Act to amend the Act incorporating the Buffalo and Fort Erie Bridge Company.—(Mr. Ferguson.)

The Senate adjourned at 6.10 p.m.

THE SENATE.

Ottawa, March 2nd, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

FREIGHT RATES ON THE CANADIAN PACIFIC RAILWAY.

MOTION DROPPED.

Hon. Mr. BOULTON rose to move the following resolution :—

Whereas the competition of the Canadian Pacific Railway is a source of irritation to the Government of the United States, and threatens to interfere with the international courtesies that have been reciprocal in the bonding privilege, and has called forth from the President of the United States a recommendation to restrict the bonding privileges between the two countries in the transport of Canadian trade through the United States territory.

And whereas, the construction of that branch of the Canadian Pacific Railway, intended to diverge from their main line at or near Regina, in the North-west Territories, to the United States boundary, is for the purpose of connecting their main line with the Sault Ste. Marie system of the Canadian Pacific Railway, and will have the effect of diverting the trade and traffic of Canada north and west of Regina through the United States, for about one thousand miles, instead of through Canadian territory, and competing with the railways of the United States for the traffic through that one thousand miles of country.

And whereas, such a divergence is not in the interests of the people of western Canada, and renders to them no competition, while weakening the earning power of the main line of the Canadian Pacific Railway, between Regina and North Bay, and enhancing the rates on their produce seeking an eastern market.

Resolved, That in the opinion of this House, the branch line starting from Regina, and running south-easterly to connect with the Sault Ste. Marie system of the Canadian Pacific Railway, should be cancelled before construction on the said branch line is commenced.

Hon. Mr. DICKEY—I wish to call the attention of the House, and particularly of the leaders, to this motion as one that cannot be put. It is a motion prefaced by three preambles, and, according to Rule 15 of the House, no motion prefaced by a preamble can be received by the Senate.

Hon. Mr. POWER—I think the hon. gentleman's objection is well taken.

Hon. Mr. KAULBACH—I intended to make a similar objection.

Hon. Mr. BOULTON—In that case I ask permission to withdraw the motion, with permission to remodel it.

The motion was dropped.

BALLANTYNE DIVORCE BILL.

THIRD READING.

Hon. Mr. GOWAN moved the adoption of the report of the Divorce Committee on Bill (C) "An Act for the relief of Martha Ballantyne." He said: I have very little to say in moving the adoption of this report. Both parties in these proceedings, the petitioner and the respondent, belong to the farming class, and had known each other for several years. After some three months' better acquaintance they were married, in the year 1862. She had resided with her father in the township of Scarborough up to the time of her marriage. The respondent resided on a farm which belonged to him in western Canada. They were married, and she proceeded with her husband to his farm in the west. They did not live happily almost from the first. Unpleasantness arose between them in consequence of letters addressed to her from home not coming to him, and he resented this. He was an improvident man and made a mortgage on his place, and about five months after his marriage he consented to his wife going home to get some money from her father to pay off interest due on the mortgage. She accordingly went home and saw her father, represented the state of facts, and got him to give money, some $150, towards the interest due on the mortgage, which she gave to her husband. This unpleasantness between them continued and increased, and on two occasions he actually drew a knife across her throat, threatening to kill her. However, his necessities increased, and his inability to meet his mortgage increased with them, and he allowed her to go home a second time, and urged upon her to get a considerable sum of money from her father towards the liquidation of at least the interest on the mortgage. She went home, but her father, as subsequent events proved very prudently, did not see his way to furnish more money. When she returned home the unpleasantness between them was largely increased. However, as his necessities pressed him owing to his want of industry and prudence, he urged upon her to go back again and try to get more money from her father. When he found the case was hopeless he suggested to her to go home, and, as he would lose his farm, to pass the winter with her father while he endeavoured to procure another place to settle upon. He purchased a ticket for her and sent her home. This was I think in the fourth year of her marriage. She took with her one of the children and remained at home for several months. In the meantime she addressed several letters to her husband which were not answered. She subsequently found that he had left the country and gone to the United States. There he went through a ceremony of marriage, it would appear, with another woman, and after several years she found that he was living with this woman as his wife in Hamilton. This she did not discover for several years after, when she determined to institute proceedings in order to free herself from the position in which she was. She had not sufficient money for a time, but subsequently she was able to prosecute her case, for on the death of her father she became entitled to some property under his will. So soon as she could command the necessary amount, the petitioner entered these proceedings to obtain a divorce, having ascertained from the minister who married her that her husband was living in a state of adultery with another woman in Hamilton and had several children by her. The facts set forth in the preamble to the Bill were abundantly proved before the committee, and the committee were at one in thinking the petitioner was entitled to the relief she claims. The corrections in the Bill as printed were made in accordance with the evidence produced before us.

The motion was agreed to.

Hon. Mr. CLEMOW moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time and passed.

THE COMMERCIAL POLICY OF CANADA.

DEBATE CONTINUED.

The Order of the Day being called:

Resuming the adjourned Debate on the motion of the Honourable Mr. Boulton:

That a Select Committee be appointed to inquire into the statistics of the country, and its industrial progress, with the view of assimilating our commercial policy with that commercial policy that has increased the prosperity of the people of the United Kingdom of Great Britain and Ireland in such a marked degree: with powers to send for persons and papers, and to employ shorthand writers.

Hon. Mr. BOULTON said:—I concluded my remarks yesterday upon the motion for the appointment of a Select Committee in referring to some statistics that I have compiled, or rather a condensation of Bulletin No. 8, of the manufacturing returns given to us by the census commissioner, and I have put them in such a form that they can be readily understood:—

CANADIAN MANUFACTURES.

Preparation of home raw material for market.

Industries.	No. of Employés.	No. of Employés.	No. of Establishments.	Value of Plant.	Exports.	Average No. of Employés.
	1881.	1891.	1891.	1891.	1892.	
Saw milling	42,085	52,148	5,762	$11,020,012	$18,532,896	10
Flour and gristing	6,472	6,296	2,468	7,000,000	1,784,000	2½
Planing and moulding	633	2,818	327	799,000	7,083	2
Sash, door and blind	2,878	5,646	594	1,734,000	123,144	9
Wood turning	604	784	125	170,765	....	5
Paper mills	1,588	2,102	36	1,917,000	355,303	60
Meat curing	852	1,964	518	190,459	1,253,954	4
Fish-curing and canning	....	29,039	4,961	864,689	9,944,110	6
Fruit-canning	....	2,546	82	103,230	62,140	31
Coopering	3,277	3,152	1,480	201,621	73,500	2½
Packing case	......	323	30	41,690	....	10
Rolling stock	3,194	4,900	15	816,000	....	326
Creameries and cheese	2,154	3,432	1,734	991,000	13,827,380	2
Tallow refineries	....	7	4	2,200	425	2
Vinegar and pickles	59	383	41	96,000	20	9
Ship and boat-building	4,848	3,961	621	226,000	506,747	6
Block and spar	....	120	43	40,250	....	3
Sail and tent-making	86	412	43	173,765	1,510	9
Starch, soap and candle	620	742	103	243,230	724,323	7
Lime and cement	2,665	3,256	1,224	293,272	124,152	3
Brick, potteries	......	....	......	....	23,465	....
Marble and stone	6,816	9,918	1,145	1,011,742	52,589	9
Salt and superphosphate	287	344	32	87,800	20,618	11
Smelting works	974	1,901	24	435,000	....	8
Oil refineries	58	347	21	518,000	24,000	16
Tanneries	5,941	4,262	798	735,000	1,012,184	5½
Hatters and furriers	2,350	1,507	190	184,750	1,580	8
Total	88,441	142,310	22,421	29,809,275	47,755,103	....

Manufactures incidental to local necessities.

Industries.	No. of Employés.	No. of Employés.	No. of Establishments.	Value of Plant.	Value of Exports.	Average No. of Employés.
	1881.	1891.	1891.	$	$	
Printing and publishing	5,311	7,540	697	3,358,600	89,838	11
Bookbinding	1,036	1,498	85	439,400	....	17½
Blacksmithing	12,451	12,053	9,395	1,262,100	....	1⅓
Foundries	7,789	12,614	619	4,300,000	129,414	20
Tinsmiths	3,685	5,184	1,713	839,000	15,826	3
Tailors and clothiers	18,029	21,190	3,962	545,933	64,625	5⅓
Bakeries	3,963	4,962	1,653	609,900	16,823	3
Carpenters and joiners	8,713	9,762	4,321	1,127,000	....	2
Watchmakers	778	1,663	644	532,444	....	2⅔
Boots and shoes	18,949	17,853	5,384	1,349,300	76,639	3½
Cabinet and furniture	5,857	7,463	1,336	1,035,045	....	5½
Carriage-making	8,713	9,037	3,337	1,131,635	73,921	3
Gunsmiths	59	68	42	24,500	....	1
Harness and saddlery	2,911	3,055	1,548	243,073	6,785	2
Electric light	....	545	77	1,695,000	....	7
Gas works	512	1,673	52	2,799,000	....	22
Total	98,756	115,590	34,865	22,291,930	473,871	

Manufactures from imported raw material or partially prepared material.

Industries.	No. of Employés.	No. of Employés.	No. of Establishments.	Value of Plant.	Exports.	Average No. of Employés.
	1881.	1891.	1891.	$	$	
Woollen	7,778	8,403	842	3,440,992	107,000	.....
Cotton	3,527	8,033	21	6,115,981	334,846	400
Sugar refining	938	1,937	8	1,846,000	135,048	242
Engine building	1,061	1,257	18	426,000	119,063	70
Boiler-making	330	425	29	149,450	.....	11
Musical instruments	941	2,172	86	213,524	408,079	25
Engraving, &c	474	746	48	343,228	.....	15
Iron and brass fitting	2,558	1,367	55	620,000	.....	25
Chemical works	223	900	134	195,433	.....	7
Coffee and spice	145	162	25	63,265	.....	6
Wire-works	67	862	46	484,016	.....	18
Carving, &c	418	215	39	50,000	.....	5½
Agricultural implements	3,656	3,887	211	933,216	403,957	18
Stoves and furnaces	.....	447	23	117,000	.....	21
Shirts and collars	2,731	30,057	156	241,467	.....	20
Brooms and brush	957	635	84	56,501	.....	7½
Paper bags and boxes	258	964	43	110,075	.....	22
Confectionery	.....	24,90	279	410,152	.....	9
Gunpowder	53	573	11	282,800	6,975	52
Glass works	309	908	10	37,000	.....	90
Piano action	.....	113	3	29,000	.....	37
Press stamps, &c	.....	48	14	19,000	.....	4
Mathematical instruments	22	7	2	1,500	.....	3
Cutlery	67	81	12	29,800	.....	7
Edge ools	546	682	27	300,500	.....	25
Type foundries	48	100	5	85,500	.....	20
Patterns and moulds	.....	6	3	2,900	.....	2
Washing machines	.....	130	22	25,000	.....	6
Baby carriages	.....	139	4	20,000	.....	35
Mattresses	59	180	33	20,660	.....	6
Hosiery	1,760	822	56	158,000	.....	15
Spring bed	.....	78	22	10,150	.....	4
Safes and vaults	.....	180	7	24,000	.....	26
Belting and hose	32	143	6	67,000	.....	24
Whip and trunk	698	854	58	103,528	.....	15
Lamps, picture frames	43	443	169	66,905	.....	3
Nail and tack	941	869	14	314,000	.....	62
Rope and twine	529	764	19	531,200	.....	40
Electro-plate	.....	739	10	77,000	.....	24
Total	31,369	45,348	3,494	18,021,743	1,514,968	.....
Aerated waters	401	653	169	511,100	.....	4
Breweries	1,411	1,865	162	1,186,000	17,611	12
Tobacco	3,757	5,283	54	450,000	1,113	100
Distilleries	285	404	8	282,000	47,404	50
Total	5,854	8,205	393	2,429,100	66,134	.....

RECAPITULATION.

Home raw material	88,441	142,310	22,421	29,809,275	47,755,103	.....
Imported raw material	31,369	45,348	3,494	18,021,793	1,514,968	.....
Local industries	98,756	115,590	34,865	32,291,930	473,871	.....
Breweries, &c	5,854	8,205	393	2,429,100	66,134	.....
Unenumerated industries	28,353	51,494	14,646	7,871,949	.....	.....
Total	252,773	362,947	75,819	80,415,047	49,810,076	.....

I compare the number employed in manufacturing in 1881 with the manufacturing population employed in 1891. As I said, I have divided the list into three different parts—those who are engaged in the manufacture of our own raw material—material that is indigenous to the country—raw material that all other countries do not possess but most other countries require, such as our lumber, the fruit we are able to grow in this latitude, fisheries, etc., etc. Our fisheries, as the hon. gentleman from Prince Edward Island, last year, in the course of discussion informed us, are the second largest in the world. We have the second largest fisheries and these fisheries have to be drawn upon by countries outside. The fisheries require no protection. Those who are engaged in manufacturing lumber require no protection. Anything you will do in the shape of relieving them of taxation is a profit to those who are engaged in fishing, in lumbering, and in farming, and mining in Canada, and it is in order to obtain for the industrial population of the country a relief from taxation, and remove it from the shoulders of labour and put on to the profits of the country the means of public revenue. I have to crave the indulgence of the House for appearing, perhaps, tedious in presenting my remarks, but it is a great question, and I am discussing new principles in our commercial life, and it is largely for the purpose of enabling the press of our country, who receive copies of our Debates, to get the information in a condensed form, that I am presenting these facts to the House, facts gleaned through a considerable amount of study and work on my own part, and for that reason, I crave your indulgence if I do take up more time than under ordinary circumstances would be warranted. I repeat, those who are engaged in the preparation of our raw material for markets was in 1881, 88,000, and in 1891 was 142,000. There is an increase there of about 54,000, but, as you will see when the return is published, 29,000 of those are engaged in fish-curing and canning who did not appear as such in the census of 1881. The next return is manufactures incidental to our local necessities, which include the printing and publishing of our newspapers in our cities and towns, book-binding which is a local industry, blacksmithing which is a local interest. I would draw your attention to this fact, that in Canada in 1891, we have 400 less blacksmiths than we had in 1881. What does that show? The demand for their labour is not equal to what it had been. Who keeps the blacksmith going mostly? Is it not the demands of the farmers—shoeing their horses and putting on their tires, repairing their machinery? Here we find, after fourteen years of the protective policy which we have been pursuing, that there are 400 less blacksmiths than there were in 1881.

Hon. Mr. KAULBACH—All the work is done by machinery now.

Hon. Mr. BOULTON—That is the excuse generally advanced, but I find there is one and one-third blacksmith to every industrial establishment in the country, and therefore I do not think the question of machinery comes in at all. A blacksmith is necessary in the neighbourhood of every community. I find there was 9,395 establishments with 12,000 men working in them. Then I find our tailors and clothiers have not increased to any extent. There were 18,000 in 1881, and 21,000 in 1891—an increase of only 3,000, notwithstanding the increase of population during the decade.

Hon. Mr. KAULBACH—Where are the sewing machines?

Hon. Mr. BOULTON—I daresay that machinery comes in, but if a protective policy does not increase the consuming population what does it do? The Indians of the North-west were rich when they had a million buffalo to themselves, but they would not make a nation. Was not protection imposed in order to keep our population at home and to draw a manufacturing and consuming population nearer to our farming lands in order to increase the profits of the farmers of our country? If it does not do that what does it do? We know it increases our burdens, and whether our numbers are diminished or slightly increased through machinery or other causes I do not know. We should keep pace with machinery. We find that other countries are increasing their population. Notwithstanding the drain through emigration and other sources, England increased 3,000,000 in the last decade, but here we find the material industries necessary for our population, such as making boots and shoes, making clothing, attending to our blacksmith shops, and so on, that they are positively decreasing. What do we find so far as boots and shoes are concerned? In 1881 there were 18,949 men engaged in Canada in the manufacture of boots and shoes, or connected with shoe-shops, and in 1891 there were only 17,853, or 150 men less employed in our boot and shoe trade in 1891.

Hon. Mr. McMILLAN—The price of boots and shoes fell off.

Hon. Mr. BOULTON—Well, I do not say what it is; explain it any way you like; but what I do say is that if the National Policy has not increased the population or increased our prosperity, then it should be removed, and the taxation incidental to it should also be removed. Even in the carriage making there is only an increase of 300 men; and there is only an increase of 55 in the number of men engaged in the harness and saddlery business. Now, hon. gentlemen, there are facts and figures side by side, and when the *Hansard* appears you will be able to judge for yourselves. I have picked out some of those industries only where the figures showed an excess in 1881; but I am pointing out to the House that in those material industries upon which the comfort and the prosperity of the people depend, the statistics show a decrease, and, therefore, there must be a general decrease in either the purchasing power or the requirements of the people in order to cause that decrease; because, hon. gentlemen, understand that those men engaged in those industries are limited to the wants of the population that live in the country. They are not exported—there is nothing in that list which is exported. Very well, hon. gentlemen, the numbers of men engaged in those industries are 98,000 in 1881, and 115,000 in 1891, or a general increase of 17,000 in the people engaged in those industries during the past ten years, and, of course, electric light, which accounts for 545 of them, and gas works are included also as manufactures. Then take the last list, which is those engaged in the manufacture of raw material which we import from abroad and manufacture in this country for our own people. Now, the number of men engaged in that manufacture was 31,000 in 1881, and 45,000 in 1891. With regard to our agricultural implements, in 1881 we had 3,656 employed in their manufacture, while in 1891 we have only 3,887. Notwithstanding the development of the North-west Territories, notwithstanding the general increase which the prosperity of an agricultural country like Canada should produce, we have only 200 more men in our machine shops in 1891 than in 1881. Now, these are facts, which, if the census is correct, we cannot get over, and as I said before, if the population has not increased, then we must devise some means in order to increase our population, in order to increase our local centres, in order to increase the manufacturing power of the country, in order that it may not be limited merely to the wants of 5,000,000 people, which the Trade and Navigation returns show us is naturally the case. The returns show that the power of manufacturers to produce, whether from imported or raw material, or from any of those things that are brought into existence under the National Policy, is mainly limited to the 5,000,000 people who are in the country. Now, with reference to those industries which might be claimed to be brought into existence by the National Policy, such as woollens, cottons, sugar and so on, what is the condition of their employment to-day? It is that there are only 14,000 more men engaged in those industries in 1891 than there was in 1881.

Hon. Mr. KAULBACH—What are the products of those industries?

Hon. Mr. BOULTON—They are not put down in the census returns that came under my notice. I am now taking bulletin No. 8, which gives the number of employees and the number of establishments and the amount of capital invested in the plant, not in bricks and mortar or real estate, but merely in the plant there is an increase in those manufactures which might be claimed to be sustained by the National Policy, of only 14,000 men over what were employed in 1881. Now, is it wise to keep up the National Policy to impose a taxation with all its hidden features such as were explained to us and acknowledged to by the hon. Minister of Finance? Is it wise for us to keep up that great burden of taxation upon the labour of the country for the sake of an increase of 14,000 men? If the taxation was imposed in a different way so that it was lifted off the shoulders of industrial labour in the country, would not that difference of 14,000 men have been 114,000 men under a different method of operating, under a more economic system, under which we could encourage the development and growth of our manufacturing industry? Take the experience that has been shown to us by that great manufacturing people in Great Britain, and what they have accomplished in the development of their trade, not only in the early history of their free trade development but in the past decade, and compare it with what we have been able to accomplish in the same direction with good facilities, and if we study this policy of free trade in the same way as it was studied between 1838 and 1846, we will come to exactly the same conclusions, that we have capacities for our own people and our own country to produce the same beneficial results for the people of Canada that have been accomplished by the people of Great Britain, and in that respect we will be assimilating our tariff with that of the mother country, while competing with them to sell the same goods in the same markets with them. While inducing that competition and entering into that competition with them they will feel no ill-will, because they will have the benefit of competing in our markets for whatever they have to sell at the same time. It is only when we exclude them from our markets and compete with them in other markets under some special advantages, under some reciprocity treaty which makes a discrimination against them, it is only then that their ire would be raised, when they saw that an undue advantage was being taken; but they are too manly to complain of competition when that competition is put upon a fair basis by opening our markets to them as well as to other people. I should have said also that some of the cotton industries that have been brought into existence under the National Policy account for 6,000 of those 14,000 of an increase, but there is this to be said—that in the cotton industry they largely employ women and children. The average proportion in our cotton industry is two-thirds women and children and one-third men. Our census returns show us that the employment in our manufacturing is 267,000 men, 100,000 women and children, and in the development of our cotton industries it is more women and children that are being employed, an increase among the women and children more than anything else, and that is not what I call a happy feature in a country like this. We are not so over-populated that we can afford either to work our children at too early an age or take the mothers and daughters away from home where they can be much more profitably and better employed in caring for those children. A system that brings that state of affairs into force by artificial means is not a wise one. If we leave it to the open competition of the world, the cotton manufacturers will find that by selecting a specialty and perfecting its manufacture, they will be able to hold their own. But to bring it into existence by imposing taxation is restricting the national development of the people of Canada. Now, there have been some figures presented with regard to this manufacturing industry by the member from West Ontario in the House of Commons. I have not followed him as to the exact method by which he came to his conclusions, but the conclusions he has come to show a very large amount of hidden tax in the manufacturing of raw material. I give you also some figures shortly; in 1872 we imported cotton to the extent of $10,207,000; we imported cotton wool for manufacturing purposes, raw material, to the extent of $392,000 worth, as shown by the Trade and Navigation Returns for 1872; in all $10,599,000. The population in 1871 was 3,695,000. Therefore our purchasing power for cotton was $2.87 per head. That was our purchasing power in 1872. In 1891, instead of importing the manufactured article, we imported only $4,000,000 of manufactured cotton, and we imported 46,000,000 lbs. of raw cotton valued at $3,673,000. Now, if we take the population of 1891, which is 4,832,679, and gauge it by the purchasing power of 1872, which is $2.87 per head, we arrive at a consumption equal to $13,869,000. Now the difference between what we paid for the 47,000,000 lbs. of cotton wool and the $4,000,000 worth of manufacturing cotton we brought into the country is $6,203,000; and therefore it will be assumed that $6,203,000 is made up of the cost of manufacturing that cotton. Now, I believe the cost of manufacturing cotton in Great Britain bears a proportion of 75 per cent for the raw material, and 25 per cent for the manufacture. If it costs in Canada more than 25 per cent to manufacture that cotton, then the people of Canada are paying so much more for the manufacture of their cotton by whatever it may be over that 25 per cent. I will not vouch for the correctness of my figures so far as the 25 per cent is concerned, but I think I have seen it somewhere that that is the proportion of the cost of manufacture to the cost of the raw material, and if that is the case it shows a very large amount of money now is being earned by the manufacturers in the preparation of that 46,000,000 lbs. of cotton-wool before it reaches the consumer in Canada, and to that extent the people are taxed not only for the revenue, on the $4,000,000 in the manufacture of cotton, but for the hidden tax on the cotton-wool.

Hon. Mr. READ (Quinté)—Have not we exported a large amount of cotton manufactures?

Hon. Mr. BOULTON—No; we have exported $334,000 out of a consumption of $13,869,000.

Hon. Mr. READ (Quinté) — $320,000 worth.

Hon. Mr. BOULTON—Yes, out of an assumed production of $13,869,000. Hon. gentlemen will see that that is a very small record to show of our ability to reach the markets of the world; and how is that exported? It is exported in spite of the protective policy. It is exported at the expense of the people of Canada. I venture to say that if you could see the invoice prices of that cotton as it went abroad, that it is sold abroad, in China or wherever it may be sold, in competition with British goods at a much less price than they sell it at to the people of Canada; and they are using those markets as a slaughter market for what they cannot get rid of inside the five millions of people and we have to pay for that export.

Hon. Mr. BOWELL—The hon. gentleman is altogether in error. It is a different class of goods exported to China altogether from that which is consumed in Canada—made expressly for the market.

Hon. Mr. BOULTON—In that case, of course, I have no means of drawing a conclusion as to prices; if this is a special article and not sold in Canada at all, simply sold there, I cannot compare it, but what I do mean to say, is that the cotton that is sold to the people in Canada is protected by 25 or 30 per cent, while in the outside market they have to sell that cotton in competition with free trade England, and it must be sold at a much less rate than the rate for which it is sold to the people of Canada. Now, I explained, hon. gentlemen, very much the same thing with regard to the manufacture of some of our agricultural implements. I showed you in the instance of the binder how, by removing the taxation and reducing the cost of making that binder, we increased our export to the markets of the world, very much cheapening to the manufacturer of that binder the process by which he has to manufacture. So it applies to all other kinds of articles we make in our factories and that there is a demand for in the world's markets. Now, there is another very important industry, and that is the manufacture of paper; in that is enveloped the great question of the export duty on our pulp wood, which has created a considerable amount of interest in our public journals as to the policy of putting on an export duty or keeping off an export duty as it is at present. I am strongly in favour of putting on such an export duty as will protect the manufacturers. There, I say, we have an opportunity of protecting our manufacturers. I endorse the principle of protecting our manufacturers in that way, but I object to the principle of protecting our manufacturers if the people have got to pay for it. If I have to pay for the protection I do not want it. However, this is a thing that does not come out of the pockets of the people of Canada. I thoroughly appreciate the fact that no argument is of any value at all unless you can show how Canada is going to secure her revenue to pay her just debts and develop the country as we have been developing it in the past. So far as the manufacture of paper is concerned, there is this to be said, that it is almost entirely now made out of what we call pulp wood; and we have as fine an area of pulp wood as it is possible for any country to possess, which is still untouched. We have our extensive spruce bush and we have it in the neighbourhood of our chief streams with as fine water-powers as any country in the world. On the Ottawa River, on the Trent River, the rivers flowing through Quebec and the rivers through the west, and the east we have as fine water-powers as can be found in the whole world; and we have the raw material. Now, England imports every year $10,000,000 worth of paper, or partially prepared paper; if not paper, pulp for the purpose of making the paper. And how much do we export? Do we supply one single dollar's worth of that paper that England imports from abroad? No, she receives it from Norway, Sweden, Germany, France and other European countries. Here we have facilities where competition for that trade can be carried on? We have cordwood in our bush, which is selling for $1.50 a cord; and why is it we cannot export from Canada any portion of that $10,000,000 worth that England is willing to receive and wants to receive in order to help her to carry on her manufacturing industries? How is it that we do not supply any of that at all? I will tell you; because the taxation that presses upon the industries of the country and the labour of the people who are engaged in our industries is so great that they cannot manufacture at a price to compete in the open market of Great Britain. I will try and show you how that taxation produces this effect. Take the machinery of one of those mills: take Mr. Eddy's mill at Ottawa or that still larger one in Quebec, near Lake Champlain, which has a capacity of 100,000 pounds a day. I saw in the *Empire* a very interesting account of Mr. Eddy's mill, in which it describes the capacity of his mill here as being 40,000 pounds a day. Now, I venture to say, hon. gentlemen, that the machinery that it has been necessary to import to make the paper in Mr. Eddy's mill has cost at the very least $150,000 before he could start to make paper. Now, hon. gentlemen, that machinery pays a duty of 32 or 33 per cent before Mr. Eddy can touch it. What does that mean? That means he has got to add at the very start $50,000 to the capital that it is necessary for him to possess to conduct those operations.

Hon. Mr. McINNES—Hear, hear.

Hon. Mr. BOULTON—That amount at 6 per cent interest is a permanent tax put on the industry amounting to $3,000 a year. That is the way the cost of increasing the manufacturing of our paper is arrived at; but not only that, hon. gentlemen, he has to import all kinds of things annually, such as hoop-iron and various things of that kind; and I venture to say that if we were to appoint this committee and were to invite Eddy or any one connected with that industry to come before us and tell us what he has to import, we would find that the duties he has to pay to the Government annually in the conduct of his business amount to $5,000 a year, in addition to the $3,000 a year, which is a permanent tax upon that industry, which I call a tax upon capital. That is a tax upon the investment of capital in this country; before any stranger can come into this country, before one of ourselves who may have the means to invest and the enterprise to go into it, can go into a business of that kind, we have to hand over to the Dominion Government $50,000, in order to obtain the permission to carry on an enterprise which will be of great advantage to the people of Canada. Now there is the tax upon capital; the other is the tax upon labour; and in this way national industry is taxed. Now I am asking that this tax shall be imposed in another manner, lifted off the industry, off the capital that goes into the industry and off the labour that goes into it, and if that is done you will see how the exports of Canada will reach the markets of the world by the ships that we are able to build ourselves. Take another case to show how the tax upon capital exists. There are our great importing houses that import, we will say, half a million worth of goods annually, and sell it to the people of Canada. What is the effect upon our importing houses? Before they can handle one dollar's worth of those goods and show them to the retail merchants who come there to inspect them some three or four months before they require them, they have to pay 32, or 33, or 35 per cent upon the goods imported. We will assume one of our houses in Toronto or Montreal has to import $500,000 worth of goods every year, that that is their capacity in business; they have to put down $80,000 or $100,000, in addition to the price of the goods before they can enter into that business.

Hon. Mr. KAULBACH—No, they sell by samples before the goods actually arrive in the country.

Hon. Mr. BOULTON—If the hon. gentleman knows anything about it at all, he knows these goods have to be imported long before they are required, that the merchants send out their buyers nine months before the demand for them and they then send their orders, and they have to have them in their warehouses three or four months before they are transported to the retail establishments.

A VOICE—Oh, no!

Hon. Mr. BOULTON—Well, sometime anyway. I do not care how long it is; at least they have to be possessed of $50,000 to $100,000 capital more than the cost of the goods, and therefore, to that extent it is a tax upon the investment of capital in that particular industry, and so it is with our paper industry. Now, the manufacture of paper is becoming a great industry; it is taking the place of lumber in a great many things. A great deal is now made of cardboard that was used before as lumber, and a great deal is made of paper, and the consumption of pulp is annually increasing. Even oysters, hon. gentlemen, now are conveyed in paper bags, papier-mâché pails, etc. We have now within our own borders all that we require for the successful establishment of a paper mill. But what is the condition to-day? The Government of the United States charges us $6 a ton upon the export of chemical paper; they charge $7 a ton on some of the paper, and $2.50 per ton upon what is called mechanical paper; but we permit the American manufacturers to come in here and cut down our timber and to take it by the thousands of cords in car loads over to their paper mills in the United States. That wood goes to the United States free, and they are enabled to compete with our men who are manufacturing that paper pulp here with the advantage of $6 a ton duty on their paper; they are charged no duty going into the United States upon them, they get them inperfectly free; but if we establish our industry here and persuade gentlemen to enter into the manufacture of paper here, in competing in that market for the sale of that paper, they are subjected to a duty of $6 per ton, and to that extent they are behind those gentlemen who come in here and work right alongside of them through the winter, in the same woods, for the same purpose and for the same manufacture. Now, I ask is that justice to our manufacturers? Is that a wise policy for us to pursue if we want to develop our manufacturing industries? There, I say, is a legitimate opportunity for the Government to protect an industry.

Hon. Mr. KAULBACH—Free trade.

Hon. Mr. BOULTON—Yes, free trade, but free trade in industry. But you must recollect that you cannot grow a tree in a year; it is not like growing a bushel of wheat or a pound of cotton. It takes half a century to grow those trees; that is part of our capital, and what we should do is to try and make the most out of that capital if we possibly can. We should say to the people who require that timber for pulp purposes, "If you require that timber for the manufacture of paper, you must come in here and establish your factory in Canada." We will prohibit the exportation of the cords of wood that are required for the manufacture of that pulp at any rate by such a duty as will equal the tax that is put upon the pulp that goes into the United States. We will then secure the co-operation of the paper manufacturers in the United States to have the duty taken off. They must have our timber. In the Fox River Valley, in Wisconsin, which is one of the largest paper centres in the United States, they are drawing from our spruce bush on Lake Superior to a large extent to keep their mills supplied. The hon. leader of this House should realize the great difference in the price of the finished article and the price of a cord of wood; that price should be earned in Canada if the American market is closed to us by a high duty. For instance, if they put $6 a ton duty on pulp going into the United States and it takes two cords of wood to make one ton of pulp, I say we should put $6 duty on the two cords of wood—$3 or $4 a cord on the wood that is required by them, and in that way let their own manufacturers come of their own volition and in their own interest to persuade their own Government to take that duty off our manufactures. If we do that and if we hold the timber that we possess, you will see two dozen manufacturers like the E. B. Eddy Company spring up all over the country. That company pays, according to the *Empire*, $329,000 wages in the city of Ottawa every year for simply the manufacturing done in connection with the paper and pails and those things made out of the pulp that it grinds. Now the Eddy Company's power to manufacture is limited to the wants of 5,000,000 people. They cannot get through those barriers into the United States, except to a limited extent in consequence of the taxation we impose upon their capital, their labour and their industry and the duty in our neighbours markets—they cannot reach the open market of Great Britain, in consequence of the burden of our taxation and their manufacturing capacity is therefore limited to 5,000,000 people. Lift that burden from them, relieve their industry of taxation and you will give them a benefit of $12,000 a year, possibly making all the difference between their ability to export and their inability to do so. Not a solitary manufacturer of paper in the country will have the slightest objection under a different policy to let all the manufacturers of paper that wish to come to the country to do so, but I venture to say if you keep up the duties and not give them the markets of the world, they would very justly complain of attempting to attract more manufacturers of paper to overstock the home market and render their investment valueless. That is a very strong point indeed, and we have an opportunity of protecting the manufacturers engaged in that important industry in Canada, and of distributing millions of dollars wages by such a protection as we would afford. I would refer here to the fact that England imports of cotton manufactures $11,000,000 worth ; of iron manufactures, $16,000,000; leather or partially prepared leather, $35,000,000 ; boots and shoes, $1,500,000 ; gloves, $10,000,000 ; paper, $10,000,000 ; silk, $55,000,000 ; woollen stuffs, $35,000,000 ; iron, $10,000,000. There is an open market for us for every one of those articles, and we can turn our attention to the production and exportation of them.

Hon. Mr. READ (Quinté)—We do send a very large amount in value of leather now —over a million dollars.

Hon. Mr. BOULTON—I am aware of that but could we not send $5,000,000 worth as well as one million dollars worth.

Hon. Mr. BOWELL—So we could if we would make it.

Hon. Mr. BOULTON—No, Sir, our taxation prevents it. I have enumerated those to show that there is an open market for us where there is no prohibitory taxation at all. All we want to do is to get the right economic conditions and we can have a share of the large sums which are expended for the articles I have enumerated in England and we can bring that capital here to increase our cities and our consuming population adjacent to our farms. Then again with regard to coal oil, that is a question that has been pretty well thrashed out and I will not detain the House with any remarks in connection with it, but I would just say this that you should take the duty off coal oil and admit crude oil free—you must recollect the difference between crude oil and refined oil bears 25 per cent of the total value of refined oil—that is, it costs 75 per cent to manufacture the raw material for use. We consume 15,000,000 gallons of coal oil and if we were to throw off the duty entirely and throw open our markets for importation of crude oil alongside of our own productions we might do more refining of oil in the country and increase the numbers of people engaged in preparing coal oil for consumption, than are now engaged in its production.

Hon. Mr. KAULBACH—Is that free trade?

Hon. Mr. BOULTON—Yes, that is free trade. It is on that principle that the Government of Great Britain acted when they were petitioned to put a duty on sugar in order to protect the British refiners from unfair foreign competition. The Government said "no, we cannot do it, because cheap sugar from Germany and Belgium and other countries reduces the cost of sugar in this country and leads to the employment of more men in the manufacture of confectionery, jams, etc. We cannot put on a duty to protect the refiners ; they must exist on their own merits. It would furnish employment for ten or fifteen thousand more men in the production of these articles and we cannot put a duty on sugar to protect the refiners. They will have to fight on their own merits." I say with regard to our coal oil the same beneficial results might flow, because we might increase the employment of labour in our coal oil business by refining more than in the production. I am satisfied that if we develop our resources and increase the population of the country by the policy that I suggest, the Petrolea oil wells will keep flowing on in a much greater ratio. If you make it worth while for capital to come in under a more enlightened policy you will find the Petrolea oil products will be quadrupled, and I am not afraid that they will be injured any more than other manufacturers would be injured in consequence of an improved economic system of working. I will cite one more example which hon. gentlemen will understand: The clothes I stand in are made by the Sanford Manufacturing Company, they cost ten dollars factory prices. Hon. gentlemen have said to me, well what more do you want; are they not cheap enough, what do you want free trade for? My reply to that is if you remove the taxation that bears upon the capital and labour invested in that industry, that clothing can be made 25 per cent cheaper. The cloth is manufactured in our woollen mills and made up in this clothing factory. Both these industries have reached the limit of absorption by the people of Canada, of their goods ; if you reduce the cost of making up that clothing by 25 per cent they can enter the markets of the world with their clothing and their cloth, and instead of having one Sanford Manufacturing Company we might have a dozen. No doubt it would make this company rustle a little harder for its profits, but the people of Canada would reap the benefit of its rustling, not only in the increased employment, the enlarged markets would insure, but in the cheaper clothing we would wear. On the other hand, increasing the manufacturing capacity of clothing without enlarging the markets by a change in our commercial policy would only lead to the combines which are so universally condemned. I now come to the question of raising revenue. My hon. friend from Glengarry has several times suggested how are you going to raise the revenue. We had from the Finance Minister in his Budget speech, a statement that free trade was impossible, that hon. gentlemen on the opposite side knew perfectly well that there was $28,000,000 that had to be raised before we could possibly consider the question of free trade. The resolution that I now have before the honourable House calls for an assimilation of our policy to that of Great Britain. I have not called it free trade, because although the term free trade has generally been applied to the commercial policy of Great Britain—because it is the freest trade that the world knows—it is not really free trade, in so far that a large portion of the revenue of Great Britain is derived from customs duties, but the Government of England has imposed its taxation in such a manner that the labouring population of England do not pay one solitary penny to the revenue of the country.

Hon. Mr. McMILLAN—What about tea?

Hon. Mr. BOULTON—Except on tea; the duty on tea is fourpence a pound. The labouring people are allowed to get their malt and make all their home brewed beer free from internal revenue tax, so if they do not want to pay tax on tea they can take advantage of that, and many homes have a mild home brew as a wholesome drink.

Hon. Mr. BOWELL—And drink beer?

Hon. Mr. BOULTON—And drink beer, and it is a mighty good thing to drink. Dr. Osler, of Toronto, is authority for the statement that more disease came under his notice in the hospitals from the consumption of tea than from many other causes. Beef and beer have made Englishmen what they are, and I have no doubt the leader of the House has felt the benefit of it himself. What I was going to say is this, there is not one single penny of taxation imposed on the labour of England ; even the income tax is imposed only on incomes over £150 a year, —all whose incomes are under that amount are relieved from taxation upon them. The taxation is imposed in such a manner that it is not possible for any other industry in the country to increase the cost of their manufactures in consequence of the duties. The duty is imposed upon tea because it does not enter into the manufacture of anything—it is a species of direct taxation. They put a duty on currants and raisins because they are, to a certain extent, luxuries—they are not necessities. They put a tax on a few articles of that kind.

Hon. Mr. READ (Quinté)—And coffee?

Hon. Mr. BOULTON.—Coffee and cocoa. We have an excellent almanac published in this country for the first time—the Star Almanac, which will take the place I hope, in this country of Whittaker's Almanac, which gives all the statistics of the trade and commerce of the world for the information of the people of Great Britain. The Star Almanac is full of the most instructive and valuable information and it is within easy reach of every one. It is there that I find the statistics in so far as the customs duties are concerned in regard to Great Britain's revenue and every one who will turn to the Star Almanac can inform himself of those facts. The revenue of Great Britain is derived as follows–100 millions of dollars from customs ; 75 millions of dollars from excise ; 65 millions of dollars from stamps ; a land tax of 11 millions of dollars ; property and income tax, 65 millions of dollars ; post office 50 millions of dollars; and the telegraph service yields 11 millions of dollars. There are a few smaller items which bring the revenues to 90 millions of pounds or 450 millions of dollars a year mostly contributed by voluntary contribution. The customs of course is what I call voluntary contribution; people are not obliged to purchase any of the things that are taxed.

Hon. Mr. READ (Quinté)—They need not purchase tea or coffee ?

Hon. Mr. BOULTON—I always make an exception of tea and coffee.

Hon. Mr. McINNES (B.C.)—They are luxuries.

Hon. Mr. BOULTON—It is only 15 millions of dollars out of 450 millions of dollars, the revenue from tea. The consumption of tea is five pounds per head of the population, and at fourpence per pound that is one shilling and eightpence that a British labourer pays on tea for the use of his family, at the rate of five pounds per head. It is exactly following that model that I propose we should raise our revenue. Now, what are we receiving to-day upon those very articles? According to the Trade and Navigation Returns we are collecting a duty on spirits and tobacco to the amount of $2,500,000. The tariff has not been imposed to encourage the largest amount of revenue on that. If you would lower the duties on light wines you would probably increase the revenue.

Hon. Mr. KAULBACH—We get a larger revenue than that from liquors and tobacco.

Hon. Mr. BOULTON—I am speaking of the customs revenue now. The customs revenue from spirits and tobacco is $2,500,000. We are getting a revenue from silks of $800,000.

Hon. Mr. READ (Quinté)—You will take that off if you follow Great Britain.

Hon. Mr. BOULTON—No, I would retain the duty on silks—continue that until there is a manufacturer of silk in this country and the people who are manufacturing through that duty are charging the people more than they should receive in open competition in the markets of the world. When that time arrives, I say take the duty off silks. At the moment it does not impose any hidden tax on the people, and therefore it is a tax on the profits of the people. Those who are able to purchase silk dresses for the family are better able to pay the tax than those who wear homespun.

Hon. Mr. SULLIVAN—Every one wears silk.

Hon. Mr. BOULTON—Oh, no.

Hon. Mr. SULLIVAN—Yes, the servant girls wear it.

Hon. Mr. BOULTON—Then if so let them pay their share of the revenue.

Hon. Mr. McMILLAN—They would not wear it long under free trade.

Hon Mr. BOULTON—Of raw tobacco we import 15 millions of pounds. I propose that the tax on tobacco should be increased by ten cents a pound.

Hon. Mr. McMILLAN—You do not smoke.

Hon. Mr. BOULTON—Yes, I do—I smoke more than is good for me. That would produce $1,320,000. Then the duty, on tobacco has not reached the limit they put on it in Great Britain at all. Then currants, raisins, nuts, etc., produce a revenue to-day of $340,000. Cocoa and coffee yield a revenue to-day of $60,000. We import 22,000,000 pounds of tea. Recollect when I talk of proposing anything I am only showing you how revenue can be raised so as to lift the burden of taxation off the shoulders of labour. At six cents a pound, that is one penny less than the duty imposed in Great Britain, that would yield a revenue of $1,320,000. We had an excise revenue last year of $8,000,000, and a revenue from miscellaneous resources of $8,500,000—that is our post office, our public works, our investments upon bonds and a variety of similar things. That, of course, goes on just exactly the same as our internal revenue goes on. Now, our railways and canals have been run at a loss to the people of the country of $1,000,000. Those should be managed upon a business basis. The Intercolonial railway should at least pay the cost of hauling freight over the line. The canals should at least pay the cost of putting vessels through, and if you manage them on a business basis that way, without taking into consideration interest on capital such as the Australian people do—they have built their own railways and get a revenue back of 3½ per cent—but without doing that, I say those public works should bear the cost of moving the freight over the line or through the canals and if we manage upon that basis there is $1,000,000 a year to be derived from that.

Hon. Mr. KAULBACH—That would increase the burdens of the people.

Hon. Mr. BOULTON—No, it does not increase the burdens of the people at all—it is business. Then I calculate that in consequence of free trade a larger trade would be developed—there would be an increase of $500,000 in the post office at the very lowest calculation. In free trade Great Britain, the post office revenue with penny postage is fifty millions dollars, 20 times as great as ours, although the population is only 7 times as large. To a certain extent there would be a saving in collection, which I put down at $400,000. Whether that can be effected or not is questionable; however, I put it down. That altogether makes a revenue of $25,000,000 that we are receiving from those sources to-day, except tea and tobacco, and $1,000,000 from public works. The hon. Minister of Finance in his speech the night before last said there was $21,000,000 from those sources. I have got down here by adding certain things to $25,000,000. I thoroughly appreciate the fact that we must raise a revenue of $35,000,000 annually. We want to go on developing our resources—go on improving our country and building our public buildings and extending our national interests where it is wise to do so. Free trade will increase the business of the country to such an extent as to increase that $25,000,000 a year by natural conditions, but if we find the revenue is not responding to the gradual reduction of the tariff impose a five per cent duty upon imports. That is to say, there will be $16,000,000 of imports which are now subject to duty after I have taken off the duty of these articles, spirits, etc., which are bearing at the present moment an average tax of about twenty or twenty-five per cent. I would propose to take off five per cent each year until we get down to five per cent. There I would call a halt until the people see for themselves whether the revenue can bear the abolition of that five per cent. Five per cent would yield $4,200,000 a year.

The moment you diminish your duties you increase importation—the imports will therefore be doubled, so that I calculate by reducing the revenue down to a five per cent tariff you will get not only the $4,200,000 as we do to-day, but in consequence of the reduction you will increase the importation until the revenue at five per cent will be $8,400,000. Add that to the $25,000,000, under the present condition of things you have a revenue of $33,000,000, and I defy any hon. gentlemen to show how any hidden tax can be imposed on the people of Canada by a revenue of that description. I grant that it would be better to remove the five per cent that I speak of, and I do not doubt that when we would arrive at that point the increase of population and the greater prosperity of the country would induce the people to decide that the five per cent should go because that five per cent would still be a tax on the labour and industry of the people in competing in the markets of the world. That is the way in which I would raise the revenue; but if that policy of free trade is going to accomplish anything nearly like the result accomplished by the people of Great Britain, it is going to increase our own wealth, prosperity, and population. I say that the revenue of Canada under a policy of that kind before ten years are over should be $60,000,000, and voluntarily contributed by the people of Canada out of their prosperity; $60,000,000 a year by the people of Canada because of their increase in wealth and because of the increase of population, and because they draw from the centres of the world the trade which would enable them to pay it. That $60,000,000 a year would go to improve our highways, to build our railways and public works. I say that it is the revenue paying power of the people that we have to look forward to and encourage and not the governmental power of extracting revenue. At the present moment the revenue is extracted, but under that mode if the revenue paying power of the country is increased, the revenue would immediately respond to it. I think I have said sufficient with regard to the revenue to show that the great bug-bear that is felt by nearly everybody in the country, that under free trade it is impossible to raise a revenue—that that is dissipated—that it is quite possible under a five per cent tariff to raise all the revenue necessary for the purposes of the government of Canada. If it is necessary to economize, of course you can alter the expenditure in quite a different way. What I say is, that this mode of imposing taxes is not a direct tax like that imposed on our coal oil, cottons, etc. Recollect there is no income tax,no stamp tax,–we have not got £30,000,000a year to pay for our army and navy as England has to do—we have not great expenses all over the world, to maintain ambassadors, consuls, and everything of that kind; therefore the income tax and the stamp tax are not necessary. We want nothing but the simple imposition of taxes, which are voluntary contributions on the part of the people. I would like to have touched upon the posisition Lord Salisbury assumed last year which led the fair traders to believe that Great Britain would respond to the position of the Hon. Finance Minister, *i.e.*, exchange favour for favour, but time will not permit me to do so further than to say that I looked upon Lord Salisbury's speech in June last year as a warning to those nations who refused to grant Great Britain most favoured nation treatment, under discriminatory tariffs, that a restriction might be imposed on their imports. Spain had given notice of the cessation of most favoured nation treatment on the 1st July last, in consequence of the reciprocity treaty they entered into with the Government of the United States but she has since given us the benefit of her minimum tariff, and I attribute that to the firm attitude of the British Government. I have to thank the House for the patience that they have shown in listening to my lengthened remarks, but as I said before, it is a new idea—a new position that I am laying before this honourable House for their information, and I must apologize for occupying the time of the House so long. It is necessary for me, I believe, to name a committee before sitting down and trusting my resolution to the good will of the House. I have no other desire at all but to utilize the Senate so far as collecting information for the benefit of the Canadian people—to utilize the experience that exists in this honourable House and the knowledge that they have of all parts of the country and the requirements of the Dominion, and the object of this committee is first of all to sit down and examine the statistics to see if I have made any mistake whether what I have advanced here is in any way incorrect—then to send for leading lumbermen and manufacturers—the manufacturers of agricultural implements, etc., and cross question them, and send to various parts of the country and invite leaders of industry to come before the committee and give evidence and embody it in such a way as our own Provincial Governments do, as is the common thing for Governments in Great Britain to do and as has been done in this Parliament, for this is an inexpensive mode of collecting information. But I should like some one to be on that committee not wedded to the policy of protection, as the announcement made by the hon. Minister of Finance shows that the Government is likely to be. It is not going to be a committee that will cost very much, or a committee that is inimical to the policy of the Government, because those gentlemen whom I have named here are nearly all in spmpathy with the Government. The committee I would suggest would be the Hon. Mr. Bowell and the Hon. Mr. Casgrain for Ontario; the Hon. Mr. Angers and the Hon. Mr. Desjardins for Quebec; the Hon. Mr. Power for Nova Scotia; the Hon. Mr. Boyd for New Brunswick; the Hon. Mr. Macdonald for Prince Edward Island; the Hon. Mr. Reid for British Columbia; the Hon. Mr. Perley for the Northwest Territories and myself. I ask for this committee to collect and furnish such information as they can gather for the people of Canada at large.

Hon. Mr. BOWELL—I am sure that the House has listened with a good deal of attention, if not with much patience, to the speech which has been delivered by my hon. friend upon this very important question. It is not my intention to follow him through the labyrinth of figures or the arguments which he has produced to the Senate. Having given his views, not only to the Senate, but, as he intimated himself, to the world through the medium of our Debates, I was in hopes that he would have been contented to have his views placed on record and then withdraw his motion. I cannot conceive it possible under our system of Government, responsible as the Ministers are, not only to the Crown but to the people, that they could consent to relegate their duties to a committee of this or of the other House. The hon. gentleman is altogether in error in supposing that the hon. the Finance Minister made any such declaration, as that to which he has referred, in the House of Commons in his Budget speech. He never intimated, nor could he have ever conceived the idea of appointing a Ministerial committee to inquire into the state of trade in this country in order that that committee might make a report to the Ministry upon which they might base a policy.

Hon. Mr. McINNES, (B.C.)—He might do it in a moment of weakness.

Hon. Mr. BOWELL.—There are many people in this world who are subject to such fits of weakness, but I do not think that the present administration are so weak as to seek advice of any committee in the manner indicated by the hon. gentleman. What the Finance Minister stated was that he believed there existed in the country at the present moment a certain amount of unrest, and that as the policy of the Government has been, since the inauguration of the National Policy, to remove taxes wherever they considered they could do so in the interests of the community generally—where the removal of taxes in many cases would be a direct protection to the manufacturers themselves—that they would do so. That reminds me of one remark made by the hon. gentleman from Marquette in which he stated that I indicated that the Government were desirous of establishing a free trade policy because I had intimated in some remarks in this House that they had taken the duty off tin thereby protecting indirectly the canning industry. The hon. gentleman can apply that illustration to all the articles on the free list. Tin is not made in this country, consequently it would be no protection to keep the duty on it. The duty on that article would be simply and purely for revenue purposes, and just as soon as the Government ascertained that a sufficient revenue could be raised to meet the requirements of the country without taxing the articles that are not made in this country, it was part of their policy to remove it from the dutiable list. As I indicated before in the remarks that I made upon the subject, if he will refer to the free list he will find that there are 103 articles, in addition to those which I specially mentioned on that occasion, which we have placed on the free list since the establishment of the National Policy, and they have all been in the line indicated by the hon. gentleman when he spoke with reference to tin. So I might continue and point out that the whole policy of the Government has been, as the requirements of the country indicated they could do it, to remove the duty from articles not made in Canada in order that our people might obtain them at a cheaper rate, and those who used them in the manufacturing industries receive just that additional protection. I have found it difficult to come to a conclusion as to what the hon. gentleman's opinions and principles are. He is a free trader in some articles; he is a high protectionist in others, especially when he strikes the particular article of lumber. I believe that political economists have laid it down that such duties as the hon. gentleman asked us to impose are the most objectionable taxes, because they prevent the owner of a particular article in the country from selling it just where he pleases. However, he may be very much like an Irish recruit when he was asked how high he was; he said: "Bedad, I'm either five feet ten or ten feet five; I do not know which." It is precisely the same with my hon. friend: it is questionable if he knows whether he is a free trader or a protectionist. If he is a free trader in one respect, he is a protectionist in the other.

Hon. Mr. BOULTON—Protect our forests.

Hon. Mr. BOWELL—Protect our forests at the expense—I am not giving my opinion; I am giving the answer to a suggestion—protect our forests at the expense of the owner of the timber. That is really what it means. If the hon. gentleman and those who entertain his views are so solicitous of the interests of the country, why deprive the owners of the timber of the pecuniary benefits arising from the sale of it at a higher price than it could be sold for in this country? How he can advocate such a policy and at the same time advocate free trade is something beyond my comprehension. I leave it to him to reconcile his conflicting views at his leisure. However, I do not propose to discuss this question at all. I could not help smiling at his ideas about the blacksmith. I remember as a boy, and my hon. friend from Belleville will remember also, in the village where we lived forty or fifty years ago there were 50 per cent more shoemakers in the town earning their living by making boots and shoes than there are to-day, though the population is now over 10,000. It is easily understood. Just the same remark applies to the blacksmiths. We know that the nails and the horse-shoes are all ready made to put on the horses' feet and all the blacksmith has to do now is to shoe the horse. When I was a boy in the town to which I have alluded, the blacksmith used to make the horse-shoes and the nails and had to point the nails, and it created a great deal of labour. In 1902 I will expect to hear the hon. gentleman making another free trade speech, and I will be bound to say if he adopts the same line of argument he will tell the House that Canada has gone to destruction because there are not as many horses drawing the street cars as there were 20 years ago ; and I venture the assertion that in less time than I have indicated there will be very few street car horses.

Hon. Mr. BOULTON—Everybody will be riding then for pleasure.

Hon. Mr. BOWELL—I do not think that will indicate any decadence in the prosperity of the country, and so you may apply it to every article to which he has referred. The hon. gentleman said in his opening remarks that he could have no confidence in any report made by a Commission appointed by the Government, that the report of a Ministerial Commission certainly would not be satisfactory.

Hon. Mr. BOULTON—In consequence of their declaration that protection was their policy.

Hon. Mr. BOWELL—I would have told the House that, if the hon. gentleman had allowed me. He would have no confidence in such a report in consequence of the declaration of the Government of their policy. Well, if that be the case, is this House or the country to suppose that they would have a more favourable report from the committee that he himself has indicated, because, if I remember the names, the majority of them are gentlemen holding precisely the same views upon the trade policy of this country that the hon. Minister of Finance does when he indicated the course that the Government intended to follow. But I think it is altogether unnecessary. The scope or sphere or duties of this committee are limited by this resolution. The hon. gentleman has so worded it that they could only make a report in such a way as to meet his particular views. They are not left to their own discretion as to what report they should make. The resolution says the Select Committee is to be appointed to inquire into the statistics of the country and its industrial progress "with a view of assimilating our commercial policy with that commercial policy that has increased the prosperity of Great Britain." That is, that this committee is to make such an inquiry from the facts to be laid before them as would enable us to adopt a policy altogether different from that which this country has approved of over and over again. Hence, if the hon. gentleman is desirous of having a report on the actual state of the country as it exists to-day and then to draw deductions from that report, as to what would be the best course in the interests of Canada and the people, he would certainly not have restricted their operations in the manner he has done. Apart altogether from that, a committee of this kind would be attended with great expense, and I notice the hon. gentleman and some of his friends objected very strongly to the expense to which the country had been put by the appointment of commissions to make other inquiries upon particular questions ; I suppose they would be equally consistent in opposition to a committee of this kind. But there is one greater objection than any other ; and that is it would be relegating to a committee of this House the work which pertains exclusively to any Government that may exist under our system of responsibility, and for that reason the Government could not, in justice to themselves or to the position they hold—without violating the fundamental principles of responsible government—accede to a request of this kind. I apologize for having said so much upon this question ; but I think I have given sufficient reasons why this committee should not be granted. The hon. gentleman has laid before the House and the country an elaborate statement of what he conceives to be the interests of the country in changing its policy. Now, I should judge that the reasons and the arguments which he has given ought to be, in his own opinion, sufficient not only for the country but for the Government to guide them in shaping their policy, if they desire to change the one that has been in force. The hon. Finance Minister did not, as my hon. friend says, cast from him free trade; he never adopted free trade; the Government never thought of adopting free trade. The Government propose, as long as they receive the confidence of the people of this country, to continue in force in its integrity the policy which has existed for the last 14 years. They propose to modify and amend it as they believe it to be in the interests of the country; and as soon as the great voting mass of the people of this country think the principle should be changed, that we should adopt the free trade doctrine to which my hon. friend has alluded and upon which he had spoken for four or five hours, they will assert their rights at the polls; and then my hon. friend, probably, from his superior knowledge, will be taken into the Government as Finance Minister; and he can elucidate not only his own ideas, but he can promulgate his own policy, and have it placed upon the Statute book, if he can persuade his colleagues to consent to it. Then the people would learn from experience whether a policy which may have been in the interests of a country like Great Britain is fitted at all for Canada, with its limited population and its want of wealth and industries. That which would be, has been, and is in the interests of one country, certainly is not always adaptable to another country dissimilarly situated; and so in this case the financial exposition the honourable gentleman has given us is one which I should not think would bear analyzing for any length of time. As an illustration the very fact of putting 10 cents more upon tobacco, as he indicates he would do, to raise a revenue would be the best reason why he would not receive as much as if he lowered it. He gave the reason one moment before, why the revenue would decrease when, referring to liquors, he said: "You can get a larger amount of revenue if you lower the duties upon wine and spirits, because you would import a greater quantity." If that be the fact in reference to liquors, how can the hon. gentleman argue it would not apply also to tobacco; and he forgets this, that we live alongside of a foreign country, with between three and four thousand miles of a frontier, and if you put the duty at a higher rate than that of the adjoining country, just so soon as the consumer in Canada learns that he can obtain it cheaper across the line, the revenue would soon fall through the operations of smugglers. That argument applies of almost every article upon the free list.

Hon. Mr. BOULTON—It's a poor rule that won't work both ways.

Hon. Mr. BOWELL—It is a very poor rule that won't work both ways, and hence the necessity of so framing your tariff as to get the largest amount of revenue from the luxuries and prevent to as great an extent as you can, the illicit traffic that is carried on. But the argument of my hon. friend is not consistent; he did not apply the same argument as to liquor and tobacco. If the argument has any force in the one case, it should have force in the other. That is the only thing I desire to point out to the hon. gentleman. When I asked the hon. gentleman how he proposed to protect the farmers in any other way than they are protected to-day, the answer was "Put an export duty upon sugar." Well, it is the first time I knew we raised sugar in this country, and that the export duty upon sugar would increase the wealth of the farmer. You might, by putting it on wheat put something in his pocket; but I do not think the country is prepared for anything of that kind.

Hon. Mr. BOULTON—You misunderstood me; I said you were developing the policy of protection, one of the Acts passed on the last day of last Session was the continuance of the bounty system in reference to sugar with the view of changing the system of agriculture from dairying to beet-root sugar cultivation.

Hon. Mr. BOWELL—I do not propose to pursue this debate, as far as I am concerned, any further. I can only ask the House, if the hon. gentleman insists on his motion—which I trust he will not—to reject it for the reasons I have given. I think that it is unnecessary, and as he has given us so much information, we will be able to sleep over it, think over it and cogitate on it for the next twelve months, and probably it might have some effect upon obtuse minds like my own. I certainly have not been able to follow his logic to such a conclusion as to lead me to believe that the appointment of this committee would be of any possible use, or that the change of the present policy would be in the interests of the country.

Hon. Mr. SCOTT—In reference to the formation of a committee by this Chamber, to inquire into matters which would properly come within the policy of the Government, I may mention to the leader of the House that on several occasions, when the Mackenzie Government was in power, this House appointed committees, not only to examine into the policy of the Government, but to condemn the Government for the adoption of a particular line of policy. I may mention one in reference to the selection of Fort William as an outlet for the Canadian Pacific Railway. I think the committee approved of Port Arthur as the proper place, and also in reference to the extension of the Canadian Pacific Railway in a direct line westward, crossing the Red River near Selkirk. That was condemned by this House, and a line running directly south to Winnipeg was suggested. I think on other occasions this House has formed committees and got papers, and commented on the action of the Government. I do not think there is much danger of that being done just now. I do not think the committee could do any harm. It would gather a large amount of information suggested by the hon. gentleman; but so far as the fiscal policy of the Government is concerned, in the House of Commons in the year 1876, probably the hon. gentleman will remember a very celebrated resolution which was adopted in that House, in which the leader of the then opposition, Sir John Macdonald, insisted upon having the words "mining and manufactures," included when the changes were rung over the country. That was a committee to inquire into the mining, shipping lumbering, etc., interests of the country."

Hon. Mr. BOWELL—Was it adopted?

Hon. Mr. SCOTT—Oh, yes, I think so. It was amended by several members, it was as follows:—

> Resolved that a Select Committee composed of Messrs. Baby, Burpee (Sunbury), Carmichael, McDougall, Charlton, Delorme, Dymond, Platt, Sainclair, Workman and Mills, be appointed to inquire into the causes of the present depression in the manufacturing, mining, commercial, shipping, lumber and fishing interests, with power to send for persons, papers and records, etc.

That was rather a celebrated resolution.

Hon. Mr. DICKEY—It was opposed by the Government of the day, was it?

Hon. Mr. SCOTT—I do not think they opposed it. It was on the 21st February, 1876.

Hon. Mr. McINNES (B.C.)—By whom was it moved?

Hon. Mr. SCOTT—"Mr. DeCosmos moved, seconded by Mr. Bunster, that all the words after "That" to the end of the question be left out and the following words added:—

> "the early revision of the tariff is desirable; and that a revised tariff, discriminating to a greater degree than the existing tariff, in favour of home productions and manufactures, but not unduly stimulating one section of the country or one industry to the injury of other sections and other industries, would be productive of great benefit to the whole Dominion" inserted instead thereof;
>
> "And objection being taken to the said proposed amendment as out of order on the ground that it involved the imposition of a burden on the people; Mr. Speaker decided "That the proposed amendment being an abstract proposition and barren of results was in order.
>
> "And the question being put on the said proposed amendment was with leave of the House withdrawn.
>
> "Mr. Blain moved in amendment to the main motion, seconded by Mr. Metcalfe, and the question being put, That the word "financial" be left out and the words "manufacturing and commercial" inserted instead thereof:—It was resolved in the affirmative.
>
> "Mr. Tupper moved in amendment, seconded by Sir John A. Macdonald, and the question being put, that the main motion as amended, be further amended by adding the word "mining" after the word "manufacturing"; it was resolved in the affirmative.
>
> "Mr. Mitchell moved in amendment, seconded by Mr. Masson, and the question being put, that the main motion as amended be further amended by adding the words "shipping, lumbering and fishing interests"; it was resolved in the affirmative.
>
> "Mr. Mackenzie moved, seconded by Mr. Blake, and the question being put, that the main motion be further amended by leaving out the name of "Mr. Currier" inserting the name of "Mr. McDougall (Renfrew)" instead thereof; it was resolved in the affirmative.
>
> "Then follows the main motion."

The matter was suggested by several members of the House of Commons at different time.

Hon. Mr. PRIMROSE—As hon. gentlemen are all aware, I am a new member, and am scarcely yet acclimated to the atmosphere of your Chamber; I know little of your methods of procedure, and if I should transgress I crave your indulgence on that account. I have listened to the address of the hon. gentleman in support of the motion, and I have been impressed with his industry, if with nothing else. I think he is to be commended for the industry which he has displayed in the compilation and collection of such a mass of figures as he has put before the House. He must have spent considerable time in the preparation of these figures. They were not got up in an hour or a day. I want to know if he is equally to be commended for the conclusion at which he arrives. I think not. I am not going to enter at all into the figures. There is only one point in his address which I wish to touch; and I have to say in regard to that point, that if his conclusions are as utterly at variance with the facts in regard to the other matters which he has brought before us—and I think that is a fair and legitimate conclusion—then one is forced to say that his conclusions must be erroneous. I speak of the shipping interests of this country, and when I do so I know whereof I affirm, having been connected with that industry for many years in its management and otherwise; and hon. gentlemen will pardon me if I say that as I listened to the remarks of the hon. member and the deductions he drew from those remarks, the old Latin proverb which I learned in my student days came back to my mind, "*Ne sutor ultra crepidam,*" "Let the shoemaker stick to his last." If I wish to consult a gentleman in regard to the interests of shipping, I will not betake myself to a man residing far inland, or to a farmer who may be thoroughly at home in the matter of cereals and wheat, but ignorant of maritime affairs. If I wish to be instructed in regard to shipping, I will go to men in the maritime provinces, who reside by the sea and who know by experience the state of this great industry. Now, any one may go to the blue books with the very best intentions in the world, and, from very ignorance of the subject, derive false impressions. He may be entirely misled. Now, hon. gentlemen are just as well aware as I am that at this very moment, while we are discussing this matter, in the Clyde and all the large seaports of England, and not only in England but in our own seaports in Canada, there are hundreds, nay thousands of steamers and vessels that are laid up for lack of work for them. I ask the hon. gentleman, is this state of matters in the mother country to be attributed to the free trade policy of Great Britain? If you consult the latest information you will find that a great many vessels are laid up for actual lack of employment; and if the hon. gentleman thinks the depression on this side is attributable to the National Policy, it is only fair for me to say that the depression on the other side is the result of free trade. Is it not a fact that the deduction in either case is perfectly false and unreliable? Any one at all acquainted with the shipping interest knows it is subject to periodical cycles of depression, which occur with amazing regularity in time. I remember once travelling from Halifax with a gentleman who spent his whole life in the construction of ships, who had just completed a fine vessel, and was hurrying to Halifax to dispose of it; and I said, "What is the reason?" He said to me "I have several reasons; I have lived long enough to know that there occurs at certain intervals a depression in the shipping interests, and the time is about at hand, and I want to get rid of this ship." He got rid of most of the shipping he had on hand, and very shortly afterwards the depression to which he alluded occurred. My hon. friend confesses that his object is to speak through the *Hansard* to the country. For what purpose? Was it to advertise the attractions of this land of ours? No, it is to paint everything in the colour of night, to hold out, so far as his influence can hold it out, a great placard such as I have seen on a pond of ice—"Beware of this country; there is danger here!" Is that patriotic? I think not. Then I have listened, but not with very much pleasure I must say, to deductions that have been arrived at in different speeches, somewhat on the same line as this I am dealing with; and I do not think it is fair to select isolated districts in Canada, where depression and exodus exist, and compare these districts with other isolated districts in the United States and other countries, where no such factors exist to cause a depression because that depression and exodus to my own certain knowledge, are in many cases entirely due to local causes, and the National Policy is about as much responsible for it as the commercial policy of the Fiji Islands. If we take Canada as a whole, and compare her even with the United States or any other country, and allow for the difference in population, I make the assertion that she will be found to be as prosperous as any other country if not more so; but is it fair to compare this country with older countries of greater wealth and population? I think not; and I would just say in conclusion that we forget how young our country is, and consequently we deal with it unfairly; and I am reminded in this connection of the saying of Scotia's immortal bard as enamored of his bonnie Scottish sweetheart he sang of her, "My love she's but a lassie yet"; so of our country she's but young. As we say in common parlance, she has not filled out yet; but who among us hon. gentlemen, albeit prophet or son of a prophet, is competent with prophetic pencil to line out the splendid proportions of her prime that is to be? Then, as now, she will indeed be a sweetheart well worthy the love of every leal-hearted Canadian. Then shall we not be more determined than ever we have been, viewing matters in this light, that despite the active opposition of her pronounced foes, despite the miserable lukewarmness of her professed friends, despite all malign influences, emanate whence they may we shall with heart and hand and brain and intellect, with all the attributes of our manhood, help this Canada of ours upward and onward towards the accomplishment of that magnificent destiny which her Almighty Maker has so plainly designated as hers. Would it not be better—nay, I will not put it interrogatively, but I will put it in the language of strong assertion and say—surely this would be better than to adopt the course which, to say the very least of it, has a tendency to belittle the glorious land we live in, which is to some of us our adopted country, but to others of us the dear land of our birth.

Hon. Mr. BOWELL—I know I have no right to speak a second time, but I ask the indulgence of the House for a moment to point out that the precedents to which attention was called by the hon. leader of the Opposition are not at all applicable, to my mind, nor does my recollection corroborate the impression which the hon. gentleman desired to leave upon the House. If he will turn to page 64 of the Journals from which he read, it will be learned that this motion was made, not by Sir John Macdonald nor by any member of the Opposition, but it was made in the interests of the Government of the day by one of their most prominent supporters, Mr. Mills, of Bothwell, and seconded by Mr. McDougall, of Renfrew, the present Auditor-General, also a supporter of the Government. It reads as follows:—

> That a select committee composed of Messrs. Baby, Burpee (Sunbury), Carmichael, Currier, Charlton, Delorme, Dymond, Platt, Sinclair, Workman and Mills be appointed to inquire into the caused of the present financial depression; with power to send for persons, papers and records, and that four be a quorum.

There was only one Conservative upon that whole committee. It was not for the purpose of ascertaining what they could do in order to change the policy of the Government of which he was a supporter. The present motion is for that purpose and that only. This motion was, I remember distinctly—I was in the House at the time, and I took some interest in the debate that occurred—for the purpose of aiding the Government. It was asserted that during the period of the existence of that Government a certain depression existed through the country and a committee was asked for in the interest of the Government by one of its most prominent supporters, for the purpose of inquiring into the truth of that which was alleged to exist at the time in order to show that that depression did not exist. The other motion to which my hon. friend called the attention of the House was an amendment. Mr. Blain moved that the word "financial" be struck out. Then Mr. Tupper, now Sir Charles Tupper, moved in amendment, making another change, by adding the word "mining" after the word "manufactures." Then Mr. Mitchell, seconded by Mr. Masson, who is now a member of this House, moved to add that shipping be inquired into. Then even Mr. Mackenzie, the premier at the time, was not satisfied with the motion nor the complexion of the committee, and he moved that the main motion be amended by leaving out the words "Mr. Currier" in order that there should not be a member on that committee who held views different from those of the existing administration, and that was carried. I find no fault with Mr. Mackenzie for doing that, not the slightest; but I point out to this House the nature of the committee and the purposes for which it was appointed, and if the Government of the day desired a committee in order to shield them from the responsibilities of that depression, I had no objection. I, on behalf of the Government of which I am a member do not occupy that position. We believe we are quite capable of managing the affairs of this country without the assistance of the committee for which the hon. gentleman has applied, and I am sure a moment's reflection will show the hon. leader of the Opposition that the committee to inquire into the expenditure at Fort William, or what was known at that time as the Kaministiquia expenditure, was not at all analogous to the one now proposed in the motion before the House. If the Government has made any improper expenditure—if its policy with reference to a particular railway, whether it should be an all-land railway or whether it should be an amphibious animal, is challenged—that would be legitimate matter for a committee to inquire into, and the House could properly condemn the Government if they found they had expended the money improperly. I apologize for having spoken on this subject, but I thought it was due to the House, considering the remarks that have been made, that I should point out what the object was in appointing that committee, what its character was and the purposes for which it was formed.

Hon. Mr. SCOTT—My contention was that committees of a similar character had been appointed in this House and in the other House. The complexion was the same—it was a government committee.

Hon. Mr. BOWELL—It would be a government committee if the government proposed it through one of their friends.

Hon. Mr. SCOTT—The policy of the government was directly called in question in making Fort William the port on Lake Superior, instead of Port Arthur, and in building the Canadian Pacific Railway.

Hon. Mr. TASSÉ—Was not Mr. Baby a member of that committee in 1876 ?

Hon. Mr. BOWELL—Yes, I had forgotten him. The committee was composed originally, as moved by Mr. Mills, of Mr. Baby, the present judge, Mr. Burpee, of Sunbury, who was a Liberal, Mr. Carmichael, whom most of you know, Mr. Currier, Mr. Charlton, Mr. Delorme, Mr. Dymond, then editor of the *Globe*, Mr. Platt, the member from Prince Edward, Mr. Sinclair, another Liberal member from the west, and Mr. Workman, from Montreal. There were two Conservatives, Mr. Baby and Mr. Currier. Mr. Mackenzie moved to strike Mr. Currier's name out, leaving Mr. Baby as the only representative Conservative on the committee.

Hon. Mr. TASSÉ—I must admit that the Conservatives were very few at the time, but the quality supplied the lack of quantity.

Hon. Mr. BOULTON—I wish to make a few remarks in reply to the Minister of Trade and Commerce.

Hon. Mr. ALMON—The hon. gentleman has spoken and bored the House for two days.

Hon. GENTLEMEN—Order, order.

Hon. Mr. ALMON—I withdraw the word "bored"—I say fatigued this House two days, and if he continues to inflict us, to quote a French expression, I would like to ask is not this *toujours perdrix ?*

Hon. Mr. POWER—I think the hon. gentleman from Shell River has gained at least all that any other member of the House expected he would gain. He has had an opportunity of placing before the Senate an amount of valuable information, and if the members take the advice given them by the leader of the Senate, if they read, mark and inwardly digest the speech delivered by the hon. member, they will come here next year very much wiser, many of them, than they are this year. I do not think the hon. gentleman need ask for any right to reply, because no one in the Senate made any attempt to reply seriously to the hon. member's speech. There is just one remark I should like to make with respect to something which fell from the hon. member from Pictou. The hon. gentleman told us that he was a tyro, but I think the manner in which he delivered his remarks showed that he had practised in some other field if he was a tyro in the Senate. I think the remarks he made with regard to shipping are calculated to create a wrong impression in the House. The hon. gentleman stated what is perfectly true—that there is a general depression in shipping. As I understood the hon. gentleman, he claimed that it was unfair to attribute the decline in the ship-building industry of Canada to the National Policy. If the hon. gentleman from Pictou will bear with me, I shall refer to the statistics given in the report of the Minister of Marine and Fisheries. He will find that on the 31st December, 1873, there were on the register books of the Dominion of Canada, 6,783 vessels of a tonnage of 1,073,718 tons. He can follow up the returns year after year to 1878 and he will find that the registered vessels in Canada and the tonnage continued to increase until the year 1879, and that from the year 1879, when the National Policy was introduced, the number of vessels built and the tonnage continued to decrease and at the time the last report of the Minister of Marine and Fisheries was made up, the number of vessels had fallen off to 6,691, a drop of about 500, and the tonnage had fallen from 1,330,015 to 1,024,000. The hon. gentleman from Shell River gave us the statistics as to British shipping and in that old country shipping, instead of continuously declining, as ours has declined, has continuously increased, and the hon. gentleman will see that his remarks with respect to the want of knowledge of the hon. gentleman from Shell River were not, perhaps, quite so appropriate as he supposed.

Hon. Mr. KAULBACH—In the years 1874 to 1878 inclusive, while the Grit party was in power, the ships built in Canada decreased by 80 per cent. We had a number of old vessels that could not be sold. The registered tonnage may have increased, because we had a number of old vessels that we could not sell, but the ship building decreased 80 per cent, and had that continued we would not have had any ships in Canada at all in ten years. The old ships were kept and the number built during that time were added to those on the register and increased the tonnage.

Hon. Mr. POWER—I allowed the hon. gentleman to interrupt me, but I do not think he has made the matter any better. The official returns prepared by the Government and similar returns prepared by all Governments up to the present time, show that up to 1878 there was a continuous increase in the tonnage of this country in the number of vessels on the register and in the registered tonnage, and that from the year 1878, when the National Policy went into operation, there has been a continual decrease until the present time. I do not say that one thing has been the cause of the other—I say there is that coincidence.

Hon. Mr. KAULBACH—I say the building of vessels decreased during the period to which I have referred 80 per cent.

Hon. Mr. BOULTON—With the permission of the House I will yield to the expressed desire of so many members and ask permission to withdraw the motion. (Cries of No! no! Yes! yes! and carried!)

The SPEAKER—The motion is carried.

Hon. Mr. ALMON—Yeas and nays.

Hon. Mr. McCALLUM—I do not see why we should be kept here two days debating a question of this kind without having a decisive vote upon it.

Hon. Mr. BOWELL—I asked the hon. gentleman to withdraw the motion, but I believe a member can only withdraw it with the unanimous consent of the House.

Hon. Mr. DICKEY—I have never in my experience known that consent to be withheld when the hon. gentleman himself asks for it.

Hon. Mr. ALMON—I demand that the yeas and nays be taken.

The SPEAKER—I declared the motion to withdraw, carried.

Hon. Mr. POWER—I do not think that the fact that His Honour the Speaker has said carried would prevent the yeas and nays being taken, if there are two members who insist upon it. I am surprised that there are two members who insist upon it.

Hon. Mr. ALMON—I certainly insist upon it.

Hon. Mr. ALLAN—I think it would be a very great pity if the hon. member from Halifax presses for a division, for this reason: as I understand, he wishes a vote to be taken whether the hon. gentleman shall have leave to withdraw his resolution. Now, while I am opposed to the hon. gentleman's resolution, and while if it were put to a straight vote whether this motion be assented to or not I should vote straight against it, I do not want to be put in the position of denying the usual courtesy accorded to every gentleman in this House of being permitted to withdraw a motion.

Hon. Mr. ALMON—If I am in order I will insist upon having a division taken. The House has been detained here for two days discussing an abstract question, and I wish it to be understood by a vote taken on this resolution, that this honourable House will not waste two days listening to a speech from which no benefit can be derived.

Hon. Mr. SPEAKER—The question is on the motion of the hon. member from Shell River that he be permitted to withdraw his motion.

The motion was agreed to.

The Senate adjourned at 6 o'clock.

THE SENATE.

Ottawa, Friday, March 3rd, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayer and routine proceedings.

THIRD READINGS.

The following Bills, reported without amendment from the Committee on Banking and Commerce, were read the third time and passed :—

Bill (19) " An Act respecting the Hamilton Provident and Loan Society." (Mr. MacInnes, Burlington).

Bill (15) " An Act to incorporate the Dominion Burglary Garantee Co., limited." (Mr. McMillan).

NOVA SCOTIA PERMANENT BUILDING SOCIETY'S BILL.

THIRD READING.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, reported Bill (F) " An Act to amend An Act respecting the Nova Scotia Permanent Benefit Building Society and Savings Fund," with amendments.

He said :—The Bill as it was originally presented to the House was for the object of repealing one of the sections of the Act of 1887, respecting this Savings Society. That section obliged the Society to sell lands acquired by them in satisfaction of any debt within seven years after being so acquired. The Bill proposed to give the Society the power of holding any property acquired in that way for twelve years instead of seven. There was another clause exempting from the operation of the Act real estate acquired or owned by the Society prior to the Act of 1887. When the Bill was before the committee, it was not thought desirable to extend the time to twelve years, and they therefore struck out clause 2 as it stood in the Bill, and simply amended clause 11 of the Statute of 1887, by adding the following subsection, which was considered reasonable :—

> The duty to sell within seven years real estate acquired in satisfaction of any debt shall not apply to real estate acquired or owned by the Society on or before the 23 of June, A. D. 1887.

The Bill now simply amends the Act of 1887 so far that the obligation to sell the land within the term of seven years does not apply to any land acquired or owned prior to the Act of 1887.

Hon. Mr. ALMON moved that the amendments be concurred in.

The motion was agreed to, and the Bill was then read the third time and passed.

THE CENSUS OF 1891.

MOTION.

Hon. Mr. TASSÉ moved—

> That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will cause to be laid before this House, copies of all representations and letters which have been addressed to the Department of Agriculture, on the subject of errors made, or which may have been made, in the census of 1890–91, as to the number of English-speaking and of French-speaking people.

He said—This motion speaks for itself. I should like to know when the information for which I move will be laid before the House.

Hon. Mr. ANGERS—The Government has no objection to the adoption of this motion, but it is impossible for me to state when the returns will be laid upon the table of the House. The Department is now very busily engaged preparing addresses and returns for the Lower House, and extra hands will have to be employed to satisfy the demands of Parliament; but I can assure the hon. gentleman who is making this motion, that there will be no undue delay in bringing the papers down.

Hon. Mr. TASSÉ—I should like to have the papers as early as possible, as I intend to take further action.

Hon. Mr. ANGERS—The matter will be attended to.

WESTERN COUNTIES RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (38) "An Act respecting the Western Counties Railway Company and to change the name of the Company to the Yarmouth and Annapolis Railway Company.

He said:—In 1887 an Act was passed bringing the Western Counties Railway Company, which had been incorporated by the Legislature of Nova Scotia, under the jurisdiction of the Parliament of Canada. This Act declared the Western Counties Railway and lines now and hereafter owned by the said company to be for the general advantage of Canada. Chap. 77 of the Act of 1887, authorizes the company to issue debentures for the purpose of paying off its liabilities and completing the road; and it appears that under this Act of 1887, a contract was entered into with certain capitalists or brokers in London for the purpose of raising £275,000. The object of the raising of this amount was to pay off the indebtedness of the company to the Government of Nova Scotia, and to certain other creditors. A difficulty arose between the people of London, who are called the syndicate in this Bill, and the company, and there was a law suit. The syndicate in London declined to advance the money under the contract, and the company brought a suit against the syndicate, and I believe the company succeeded in the suit in the court of first instance, and an appeal was taken. Meanwhile the prospects of the company began to brighten, and the people of London have apparently agreed now to carry out their contract in a modified form. The company have agreed with the syndicate in London that they shall be allowed to do so, and an agreement has been entered into, which was made on the 31st January of the present year, embodying the terms of this compromise. The principal object of this Bill is to ratify that agreement made between the company and the syndicate in London. One of the conditions of the agreement, of course, was that the appeal taken from the decision of the court in England was to be dropped. The Bill also provides that the name of the company shall be changed from the Western Counties Railway Company to the Yarmouth and Annapolis Railway Company. That is an important change, because the new title indicates the character of the road, and gives its two termini in the name "Yarmouth and Annapolis;" the road runs from Yarmouth to Annapolis. I am not aware that there is any objection to the second reading of the Bill. The phraseology of the Bill in some places is capable of improvement, but if any improvement is thought necessary, that can be made in the committee to which the Bill will go. I may add that this Bill was carefully considered in the Railway Committee of the House of Commons, the premier himself having taken a decided interest in it and that the Bill, as we have it, is the result of the consideration given to the original Bill as it was introduced in the Commons by the Minister and the committee of the other House.

Hon. Mr. KAULBACH—My hon. friend has explained this Bill, but not perfectly. This Bill is also to give them the right to issue preferential stock. And there is a novelty in the Bill to my mind; it allows this company, not only to be a railway company and to have ships in connection with the railway, but gives them power to hold and acquire ships and to use them for all purposes they think proper in trade and commerce. I have known of vessels being allowed to be built and used by a line of railway, but by this clause they have power to acquire, build and equip ships and to use them in any manner they think proper.

Hon. Mr. POWER—That is a detail which may be amended in committee.

Hon. Mr. KAULBACH—I am interested in Nova Scotia, and the Local Government have expended a large amount of money; therefore, I should not like to see the railway fail in consequence of going into shipbuilding and commerce independent of the line altogether. When the Bill comes before the Railway Committee I hope they will look into the matter.

The motion was agreed to.

THE GRAND TRUNK, GEORGIAN BAY AND LAKE ERIE RAILWAY CO'S. BILL.

SECOND READING.

Hon. Mr. VIDAL moved the second reading of Bill (25) "An Act respecting the Grand Trunk, Georgian Bay and Lake Erie Railway Co."

He said:—This is a Bill asking for an extension of time. It contains no unusual provision. The second clause of it, dealing with the mortgages, is really in the interest of the public, and to secure those who have the right of prior payment. These particulars will be examined by the committee, of course.

Hon. Mr. BOWELL—Before the motion is adopted, I should like to call the attention of the hon. gentleman to the provision of the second section, the effects of which may have been fully explained in the committee in the Lower House, but it appears to me to give somewhat extraordinary powers, and I merely call attention to it, that the committee, when they meet, may consider it. The clause reads:—

> Notwithstanding anything in the said Act of the province of Ontario, 44 Victoria, chapter 69, or this Act, or anything otherwise heretofore done by the company, and so on, that they may issue bonds, etc.

And then the latter clause provides that this shall be a lien upon such branch and such of the lands, tolls, revenues, and other property of the company, forming part of or connected with such branch, whether then existing or thereafter acquired, as is mentioned therein, in preference and priority of all other charges thereon. The only point I desire to point out to the House and the committee is how far this may interfere with other liabilities which, previous to the passing of the Act, would have priority, and whether any privileges which existed previously would be destroyed.

Hon. Mr. VIDAL—I think it is quite right that the leader of the House should call attention to this. It was my intention to do so; but if the leader of the House had read the whole section he would have seen that these two things come first, and then follows the priority given to these mortgages, but of course they will be fully explained in committee.

Hon. Mr. BOWELL—That does not touch the point that I raised. There are penalties which are imposed; fines follow for not complying with the provision of the Act, respecting certain returns, and the next provision is with reference to working expenses. The point I desire to call attention to is this: are there any liabilities other than those which are incurred in the working of the road, and are there any debentures issued prior to this issue which will be affected by this Bill?

Hon. Mr. VIDAL—All this will be explained.

The motion was agreed to.

CENTRAL COUNTIES RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. CLEMOW moved the second reading of Bill (31) "An Act respecting the Central Counties Railway Co."

He said:—This Bill is merely to allow the company to extend their line of railway. Some two or three years ago they constructed some thirty or forty miles of railroad, and now they are desirous of continuing it through to Caledonia Springs, and ultimately to the township of Russell, in order to reach the saw-mill at that point. There is nothing unusual in the Bill. It is of great importance to that section of the country, and I presume there will be no objection to its passing.

The motion was agreed to.

BUFFALO AND FORT ERIE BRIDGE COMPANY'S BILL.

SECOND READING.

Hon. Mr. McCALLUM moved the second reading of Bill (20) "An Act to amend the Act to incorporate the Buffalo and Fort Erie Bridge Company."

He said:—In the absence of the hon. Senator who had charge of this Bill, I move that it be forwarded a stage. I would say that this is a Bill to amend the statute 54-55 Victoria, chapter 61. Two years ago they obtained a charter to build a bridge across the Niagara River, and they want to continue the charter and get the privilege of building a tunnel in place of a bridge, if they think proper to do so. There is nothing objectionable in the Bill, as far as I can see.

The motion was agreed to.

The Senate adjourned at 4 p.m.

THE SENATE.

Ottawa, Monday, March 6th, 1893.

THE SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

RAILWAY CONSTRUCTION IN THE NORTH-WEST TERRITORIES.

Hon. Mr. PERLEY rose to

Ask the Government, if they are taking any steps towards compelling the present proprietors of the Great North-west Central, and the Manitoba and North-west Railway Companies to complete the construction of those roads as provided by their charters?

He said:—This notice has been on the Paper quite a number of days. Directly after I had put it on the Paper I learned that one of the proprietors of the Manitoba and North-western Railway was here and was desirous of having an interview with the Government with reference to some extra aid that they were seeking with a view of constructing that road on to Prince Albert. I then concluded to defer asking the question in the hope that some arrangement might be arrived at that would not necessitate my asking for the information. However, I have been informed that they have had an interview with the Government and that the answer is not satisfactory, or rather the company themselves have not been given any assurance such as they hoped to receive, and therefore they are unable to go on with the construction of the railway. I do not think it amiss to call the attention of the House to some facts in connection with the country through which that railway is supposed to pass, and the effect that the non-completion of it as provided for by the charter, is having on the settlers. I think something over 200 miles of the Manitoba and North-western Railway has been built. The company have got a land grant of 6,400 acres a mile for the portion already built and yet there is about 210 miles of the road to be constructed to complete it to its intended terminus, Prince Albert. The company apparently are unable to go on and raise the money to complete this route the remainder of the distance. Some two years ago the Government, I regret to say, employed, and they have now, I think, employed in Dakota an agent, Mr. Webster, who has induced some two hundred settlers to go in and locate on the line of that railway, some sixty or seventy miles beyond the terminus to which it is now built. Mr. Webster has told me himself, and others have told me, and I learn from letters that I receive almost daily from settlers in that country, that these men complain that no road is being built—that they were induced to go in there by the Government officials, on the promise that the railway would be built, and the land has been opened up for settlement, and their entries have been received, and now the company is not going on with the road. This is a very deplorable state of things to these people who have been induced to go in there with the expectation that there would be a railway built. As I have said, they have located fifty, sixty, seventy, and eighty miles beyond the present terminus of the road, and anybody knows the great hardships and privations which these people have to undergo in consequence of locating at such a distance from railway communication. The last time that I was in Regina, in the month of January, I met a man who was coming, I think, from Nebraska. He had been up and down the Carrot River district, and he was about to bring men out this spring. I contend that as this company received a large amount they ought to go on and build the railroad; and I think their failure to do so is a matter for the Government to deal with. They have received 6,400 acres of land per mile as a subsidy for the building of this road; and they are asking nearly $25,000 per mile for that land grant. If the land was put up at any reasonable price, I think the money might be raised to enable them to go on and build the road. The route is across a prairie country, and there is no physical obstruction. There are no large iron bridges to build, and no rocks to excavate, such as you have in the eastern portion of Canada. It is across a prairie country and easily built; but the company have asked such large prices for the land that they have not raised the money, and the result is the road is at a stand-still and nothing is being done; while at the same time the Government, Ithink unwisely, have allowed their agents to induce people to go in there and settle on the land, in the anticipation that the railway would be built. Owing to that fact, I think the Government are in duty bound to see the road built, as far as the settlers are located, anyway, and if they desire to stop when they have got that far, well and good, but they should not allow the settlers to go any further than the terminus of the road, wherever that may be. The Government gave a large subsidy, $80,000 a year, to the Long Lake and Prince Albert Railway; I think if they had given that subsidy to this railway, which goes to the same country, it would have been the means of doing a great deal more good than the other road has accomplished. I think this is eminently a matter for the consideration of the Government, inasmuch as they have allowed settlers to go in there believing that the road would be completed; and the policy of the Government in the North-west, in my opinion, is wrong. It is a libel on the country—I state it advisedly—to say that 6,400 acres of land per mile is not enough of a subsidy to build a railway. I think it is sufficient, and I say that if the Government of the country will change their policy and advance $1.50 an acre on this land for which they themselves ask $3, it will enable the company to complete the road. The Government to-day ask $3 per acre for lands in the North-west Territories; they have increased the price during these years of depression of which the farmers have been complaining; still, I think the Government showed a very wise knowledge of the country when they increased the price of land from $2.50 to $3 per acre; and if they would advance $1.50 an acre on this land it would enable this company or any other company who choose to undertake it, to go on and complete the road; and the Government could then hold first security on this land of $1.50 per acre. The railway would then be built and the country opened up, and the people would be satisfied. A few years ago, when people saw a railroad mapped out on a plan, they went there in anticipation that the road would be built. They are doing that to some extent now; but if the policy I have suggested were adopted, the company would be able to build the railroad. At $1.50 per acre for 6,400 acres, the amount raised would be nearly $10,000 a mile. Valuing it at $3 an acre there would be another $10,000 left, which would be ample, because, as I have said, if the road were opened up the Government could sell the land and recoup themselves, the railway would be built, and the people could settle along the line. Now, it is not necessary for me to go into any lengthy speech on this matter. These are the plain facts of the case, and I think the matter is one that the Government should take into their very serious consideration, and provide a remedy for, because they have induced settlers to go in there. I have not made inquiry recently, but I know that last session such was the case. I have had correspondence with Mr. Webster, in Dakota, about the number of people settling in that country. The Government should either prevent him sending anybody else there, or go on and build the railroad in order, in some measure, to redress the wrong and suffering these people are enduring in this locality. Then with reference to the Great North-west Central, that railroad, if built where it ought to go, would pass through a very large tract of country which has been settled ten years. I know that north of where I live, in the Primitive Methodist colony, there were several townships well settled up in the spring of 1883. I have met those men continually since they went in there on the promise of the railway being built. There was a charter granted, but the parties to whom the charter was granted have been trading among themselves and quarrelling, and to-day they are in law; the proprietors, Mr. Codd and Mr. Charlebois, are in law about it, and nothing has been done to complete the road; the people are settled away in advance of the road, and living there expecting it to be built; and through the quarrel between these men nothing has been done, and nothing is being now done to compel them to complete the road. I do not know what course should be adopted; but I know something should be done. I have been all over that northern country; I know it well; I have been at Touchwood and north of Qu'Appelle, and I know that a great portion of that district has been settled; and a greater portion would be occupied if there were a railway there. These people are raising crops and living in hopes that the railway will some day reach them. I have a large number of petitions which I have been requested to present to the Government, asking that the charter be taken away from both companies; but I have refused to present them, for the reason that it would almost be an advertisement that the present company could not complete their lines; and a new company would not be likely to undertake the work. I thought it would be better to try and encourage in some way or other the present proprietors to go on and complete the road. I do not think it is a wise policy to allow men to get hold of a charter and go into law over it, endeavouring to make a large amount out of it themselves. I repeat that it is a libel on the country to say that 6,400 acres of land is not a sufficient grant, because I know that it ought to be, and it is; and if the company cannot raise the money because of any past acts of other companies, I think it would be a wise thing for the Government to take the matter in hand and even shorten the grant down to 4,000 acres, and give them $4,000 subsidy; the land is worth $4 an acre, and the Government ask $3 for it; and then they should curtail the bonding powers to $5,000, $6,000 or $7,000; and still there would be plenty of money in it. At present these men are selling the bonds; they have no status in the money market and they are not able to raise the necessary capital; consequently, they have to take a large discount on the value of the bonds. In view of the fact that people have been allowed to go into this country in the expectation that Parliament would compel these parties to complete the road, I think it is a serious matter to let the companies drift along as they are doing. The fate of these people is at stake, and something should be done; these companies should be compelled to go on with what they have undertaken to do. I bring this matter before the House because, as I say, I am besieged with petitions and letters; before I came down, and since my arrival here I have received letters and petitions in this matter; and I have written to the parties saying I did not think it was wise to present petitions asking that the charters should be discontinued, and allow any one else to come in, because I do not think other parties could come in and build the road as favourably as these parties could. I think it would be wise to advance $1.50 per acre, and hold the land as a security. It is worth $3 an acre; the Government are asking that for it. They have increased the price from $2.50 to $3, showing that that is their opinion of its value. They could advance the money and hold a first claim against the land, and they would be able to recoup themselves.

Hon. Mr. BOWELL—A moment's reflection will convince the House that the Government has no power to compel a company to proceed with the construction of a road which it commenced under a charter obtained from Parliament, though it may have a Government subsidy. The only course that the Government can pursue, unless it changes the terms on which the subsidy was given, is to deprive the company of the subsidy in case the terms of the charter are not fulfilled. That seems to be the case with the two companies to which the hon. gentleman refers. They obtained charters from Parliament to construct roads through a portion of Manitoba and the North-west Territories, in aid of which the Government agreed to give 6,400 acres of land per mile. They proceeded with the construction of the road to a certain extent, and then they stopped. The only penalty the Government can impose under the circumstances is to annul the land grant. Then the question may arise as to whether more favourable or other terms should be made with them—that would be adopting the suggestion which the hon. gentleman himself has made, of retaining the lands in the hands of the Government, and advancing them a cash subsidy in lieu thereof; or to allow the charter to lapse by its non-fufilment, and then grant a charter to other parties. There are many difficulties that will present themselves to the latter course being pursued. The importance of the construction of these roads is fully realized by the Government as well as by those who have taken a deep interest in them. The object the Government had in granting, as I thought at the time, large and ample subsidies, was to open up and develop that country, and make it easy of access to the immigrants who desire to settle there. I do not know, nor have I ever heard before, that Mr. Webster, the agent in Dakota, or any one else acting for the Government, represented to those who have been brought back to the country, or those brought into the country who never were in Canada before, that the Government was building this road. It may be possible that the agent pointed out to them that the road was being built in a certain direction under a subsidy from the Government, and that they would, if they settled in that immediate locality, have the advantages of an outlet by the means of that railway. That, I think, is in all probability the inducement that was held out to these people. If the company have failed to carry out the terms of their charter the Government can scarcely be held responsible for their failure. The hon. gentleman says that 6,400 acres of land ought to be sufficient to enable them to raise money, not only to commence, but to construct and complete the road. Past experience, unfortunately, for what reason I am not prepared to say, has not verified that statement. This company is composed of some of the most wealthy men we have in Canada. It is represented that they have spent some twenty odd thousand dollars per mile on the road already constructed, and that they are unable to raise money in the English market upon the security which they offer—that is, of the road which is already constructed and the 6,400 acres of land per mile.

Hon. Mr. PERLEY—What did the hon. gentleman say was the cost per mile of the road already constructed?

Hon. Mr. BOWELL—The road, if I am correctly informed, cost from $20,000 to $23,000 per mile for the portion already constructed. I wish the House to understand distinctly that I give no opinion as to the expenditure on that railway. I merely state the fact as it has been given to me. If, as the hon. gentleman says, it is a libel on the country to suppose a road cannot be constructed for a subsidy of 6,400 acres of land per mile, I scarcely know what to term it. If it be a libel to say it cannot be built for that subsidy, then it is an evidence of improper expenditure of money in what has already been done. The suggestion made by the hon. gentleman in reference to retaining the land and giving a money grant is one which I will bring under the notice of my colleagues; whether they will adopt that principle I am not prepared at the present moment to say. The House and the country know that in selling public lands by a Government the principal is eaten up to a very great extent by the expenses attending the sale and management of them. Now, I have understood that instead of the company asking $4 per acre for these lands, they have offered the Manitoba Government a large quantity of the lands already earned for $2.50 per acre, in order to relieve them of their indebtedness to the Manitoba Government; and their legal agent told me only two or three days ago that they had disposed of a large quantity of land in England at $1 per acre in order to raise money to pay interest on the bonds as they fell due, and one reason why he was urging still further aid to this road was that he felt that a great injury would be done to the country if the coupons upon the debentures, due in a short time, were not paid. However, my answer to that was, that if the Government were to step in and relieve every company that has given bonds upon their road when they fail to meet the interest upon their indebtedness, it would be equal to assuming the responsibility of all bankrupt concerns in the country, and that was a principle which I did not think the Government could adopt. However, the Government, I can assure the hon. gentleman, is as anxious for the construction of these roads and the opening up and developing of that country as he or any one else could possibly be, and anything they can do, consistent with the means they have at their disposal, will in the future, as in the past, be done to assist them. I can say further, that in two or three cases the time for the completion of these roads has been extended by the Government when applications and representations have been made before them which induced them to believe that, with further time to enable the company to negotiate with moneyed men in this country and in the older countries, they would be able to complete the road. They have so far failed, and in the case of one of these roads the Government has declined at the present, until they have further information, to extend the time for the completion of the road. If that course be pursued, their charter will to that extent lapse, and then it will be for the Government to consider what steps should be taken in order to enable others who are desirous of taking hold of those enterprises to complete the road. Beyond that I do not know that I can say anything. If there is any further information that the hon. gentleman would like to have, I should be very glad to give it if in my power.

DEPARTMENTAL RETURNS.

INQUIRIES.

Hon. Mr. McINNES (B.C.)—Before the Orders of the Day are called, I should like to ask the leader of the Government when I may expect those returns that I asked for some time since—the first moved for about five weeks ago, and the other about two weeks ago? The one relates to correspondence with respect to the quarantine station in British Columbia, and the other to correspondence between the Dominion Government officials in British Columbia and the Government here and the officers of the Canadian Pacific Railway steamers with respect to the introduction of small-pox last May and June.

Hon. Mr. ANGERS—I can assure the hon. member that we are not neglecting his request at all. Some of the clerks are even working at night to prepare all the returns asked for in relation to the census and other matters and also in connection with quarantine. I shall call the Deputy Minister's attention to my hon. friend's great anxiety to have these papers brought down as soon as possible.

Hon. Mr. McINNES (B.C.)—I do not wish the Government to understand that I am complaining. I am merely asking when I may expect to get these papers.

Hon. Mr. BELLEROSE—I should like to know when I may expect to have a return concerning the Experimental Farm, for which I moved some days ago. I do not think it would take two hours' time to prepare it.

Hon. Mr. ANGERS—I am in hopes that I may be able to bring it down in a very few days.

BILLS INTRODUCED.

Bill (17) "An Act respecting the St. Lawrence and Adirondack Railway Company." (Mr. McMillan.)

Bill (44) "An Act respecting the Manitoba and South-eastern Railway Company." (Mr. Bernier.)

The Senate adjourned at 4 o'clock.

THE SENATE.

Ottawa, Tuesday, March 7th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayer and routine proceedings.

DORAN DIVORCE BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. GOWAN, from the Committee on Divorce, to whom was referred the Bill (E) "An Act for the relief of James Frederick Doran," presented their report.

He said: It will be within the recollection of the members that substitutional service was sanctioned in this case, in consequence of the inability of the petitioner to find where the respondent was. Since then the petitioner learned that the respondent was on her way from Europe on an Atlantic steamer bound for New York. Fortunately, the petitioner was able to make personal service on her when she landed in New York, so substitutional service was not required. I move that the report be now adopted.

The motion was agreed to.

THIRD READING.

The following Bill, reported without amendment from the Committee on Railways, Telegraphs and Harbours, was read the third time and passed:—

Bill (31) An Act respecting the Central Counties Railway Company.—(Mr. Clemow.)

BUFFALO AND FORT ERIE BRIDGE COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (20) "An Act to amend the Act to incorporate the Buffalo and Fort Erie Bridge Company," with an amendment.

He said:—The amendment to this Bill is short and requires very little explanation. The Bill is to amend a preceding Act, and one of its clauses which related to the bearing of the General Railway Act upon the provisions of this Act was amended by introducing into it "the said Act," that is to say the Act which this Bill amends, as well as this Bill itself, so that it would read that the provisions of the Railway Act have been in controvention of the Act which this Bill amends. This clause was so obviously in the interest of the promoters of the Bill that there was no objection to the amendment. I move that the report be adopted.

The motion was agreed to.

Hon Mr. McKINDSEY moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time and passed.

GRAND TRUNK, GEORGIAN BAY AND LAKE ERIE RAILWAY COMPANY'S BILL.

REFERRED BACK TO THE COMMITTEE.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours' reported Bill (25) "An Act respecting the Grand Trunk, Georgian Bay and Lake Erie Railway Company," without amendment.

Hon. Mr. POWER—I wish to make one or two observations with respect to this report. When this Bill was before the Railway Committee the committee were under the impression that the only effect of the first clause would be to extend the time for the beginning and completion of the work specified in the Bill for two years beyond the time allowed by existing legislation. The committee saw no objection to that and passed the first clause. Since the meeting of the committee, it has come to my knowledge that the change made by this Bill in the existing law was really much more important. The Act in 1887 made one section of the Ontario Act applicable to the works of this company. The first clause of this Bill makes the whole Ontario Act applicable to the works of the company, and the consequence may be very serious. I have not had time to examine and see exactly what the results will be, but clearly the results may be very serious and may prevent the company from going on with the works contemplated by this Bill, and I think that if the hon. gentleman in charge of the Bill has no objection, the wisest plan would be to refer the Bill back to the Committee on Railways for further consideration. I do not care to move that without the consent of the hon. gentleman who has charge of the Bill, but if he has no objection I think it would be desirable to do so.

Hon. Mr. VIDAL—I do not know that I could make any objection to a motion of that kind being presented to the House. I am quite prepared, if it is thought necessary that any change should be made in the Bill, to consent to the course suggested. I will only remark that, while offering no objection to this course being taken, I do not myself think it necessary, for this reason, that the Bill has undergone a very careful examination on the part of very eminent lawyers. Mr. Bell, the solicitor of the Grand Trunk, has looked into it very carefully and examined it minutely. It has gone through the House of Commons, where amendments were made to it. If any hon. gentleman will refer to the original copy of the Bill introduced in the House of Commons, and the copy as it comes to us, he will observe that two amendments were made in that committee, indicating clearly that very close and particular attention was given to its provisions. I may also mention that in addition to the Bill having gone through the ordeal of a very close examination at the hands of the Railway Committee of the House of Commons, it has been considered by our own committee, although perhaps not quite so fully. I think there was a very fair discussion upon it in our own committee, but still some point might have been overlooked. My own view, however, would be that it is unnecessary for us to refer it back for consideration. I think that the parties interested in the Bill have taken all the precautions necessary to have their desires embodied; and if, in carrying out the provisions of the Bill, any inconvenience or trouble arises, they have themselves to blame, and not the House. I should prefer, of course, making the motion for its third reading, as it has been thus carefully examined; but I shall not stand in the way, if the hon. gentleman from Halifax, or any other hon. gentleman, thinks it necessary to refer it back to the committee. I do not feel disposed to stand in the way at all of the fullest investigation being made, if it is required.

Hon. Mr. POWER—The law clerk, whose duty it was to examine the Bill, found that it was open to the objection which I have indicated, and I understand the hon. Chairman of the committee takes the same view that I do; and although in a certain sense the promoters of the Bill are responsible, still, if we find in the passage of a Bill through this House that there is some defect in it which will defeat the objects of the promoters, it is our duty to remedy the defect if possible; and inasmuch as no harm can come to the Bill if it is referred back, and it can be reported back on Friday next and assented to in the other House, amended or unamended as the case may be, the safest way is to have the Bill referred back to the Railway Committee. I therefore move that the Bill be referred back to the Railway Committee for further consideration.

Hon. Mr. DICKEY—I have taken the responsibility of seconding the motion, as it has not been objected to by the promoter of the Bill, who has taken a very fair course; but in answer to what my hon. friend on the other side of the House has said with regard to this particular amendment, that it was in his judgment not at all necessary that it should be considered again, perhaps because it has been subjected to the scrutiny of eminent counsel and the committee of the other House, I may say, in justice to myself and the members of the committee of which I have the honour to be Chairman, that it is not the first time that we have had to correct mistakes in Bills which had been subjected to the same ordeal; therefore I did take notice of the objection at the time, but without committing myself to what my view may be on looking into it. We had not the same opportunities of scanning it very carefully, and I think it would be in the interest of justice and good legislation that we should have an opportunity of considering it again.

Hon. Mr. VIDAL—I make no objection.

The motion was agreed to, and the Bill was referred back to the committee.

WELLAND CANAL INVESTIGATION.

INQUIRY.

Hon. Mr. McCALLUM rose to

Inquire of the Government what action, if any, they intend to take upon the evidence taken at the Welland Canal investigation before A. F. Wood, Esq., as to the management of that important work by William Ellis, superintendent, and others under him, as disclosed by the evidence?

He said: This question which I have on the paper to-day is not a new one by any means; many of you will remember that it has been before the House for the last four years. I do not intend to-day to make any very lengthened remarks on the question, because I do not intend to tire the House. I have said enough on it already, particularly if the answer of the Government is satisfactory. I know that they have had plenty of time and hon. gentlemen will all remember the reply the leader of the Government made to me in this Chamber two or three years ago, and last year particularly; but I hope the Government is now prepared to give me an answer, and it depends on the answer that is made by the leader of the House whether I shall make a few remarks or not; and if I consider it my duty in the interests of the country to make any remarks, I hope the House will put up with me; I will not be very long. I do not know that I will do on this occasion as I threatened to do last year if they did not dismiss this gentleman who has been guilty of wrong-doing on the Welland Canal; I remember every remark that I made on that occasion. I said I was bound to get the evidence before the country; I said often in this House I did not see why the Government had anything to hide in this matter. There may have been some blunders in the Department, and that may be the reason why they do not take action; the Department themselves may be somewhat guilty as well as the superintendent of the Welland Canal. I do not wish, however, to say anything further until I get the answer.

Hon. Mr. BOWELL—I was going to premise what I had to say by expressing the hope that the hon. gentleman would not begin at Genesis and end at Revelations, and yet upon a little reflection it might do us a great deal of good if he would read the whole book. I can only say in reply to the question asked by the hon. gentleman that

I made inquiries at the Railway Department, and I was informed by the Minister that the evidence brought out suggested certain reforms in the management of the Welland Canal, and he assured me that he was now seriously engaged in looking into the whole matter with a view to making such changes as he could, and which he trusted would meet the views of the hon. gentleman, more particularly in reducing the staff and the expense attending the working of the canal. What that will be I am not at this present moment able to inform the House; but I am sure I know that his intention is to try, as far as possible, to meet the hon. gentleman's views.

Hon. Mr. McCALLUM—In reply I have just a few words to say. Does the hon. Minister mean to tell me they are studying the evidence? Does he mean to tell me any member of the Government ever looked at the evidence? He was himself for a short time Acting Minister of Railways and Canals, and this has been a burning question, as you all know. Did he look at it?

Hon. Mr. BOWELL—Yes, I did very carefully.

Hon. Mr. McCALLUM—At the evidence, or at Mr. Wood's report?

Hon. Mr. BOWELL—Both, and the hon. gentleman's speech in addition.

Hon. Mr. McCALLUM—I have no doubt at all if the hon. Minister looked at my speech and if he believed what I said—and I stand by every word of it—he would come to the conclusion that Mr. Ellis and these parties ought to have been cleaned out long ago. I can refer hon. gentlemen to the Senate Debates and read what the leader of the House stated last year. He said that immediately after the session was over they would go on and look into this matter. Are they aware that the Dominion is losing a large amount of money by their inaction in this matter? Even Mr. Wood, the commissioner—a man who has broken all the commandments in trying to shield the wrongdoing in the Welland Canal—tells the Government of the country that they are losing $20,000 a year; and I can tell them if they look at the accounts last year, that with the man they had to look after affairs, although he has not got full control, $20,000 was saved last year, as the result of my action in the matter. Why should they delay action? I am not going over what I explained to this House before; but if any hon. gentleman will look at the evidence he will see that the Government are acting unjustly by the people in allowing the matter to stand. Probably the Government themselves are to blame. I say that to some extent they are to blame. They were to blame for Mr. Ellis's conduct in allowing him to go on spending the country's money, without any check on him, when they had, you may say, a written document before them establishing his guilt. They made him disgorge $475 since, but there is a lot more to be recovered; there is this other money which he took by means of the man that built his house, as disclosed by the evidence. The Government is not acting fairly in this matter. The hon. leader tells me to-day, very much the same as I was told last year, that something will be done immediately, but he does not tell us how it is going to be done. It may go on for another year. It is getting to be an old story. All I ask the Government to do is this—as I said before, I want the Government to dismiss these parties that have been guilty of wrong-doing, or to publish the evidence to the world so that everybody can see what is taking place on the Welland Canal. It is a very unpleasant thing for me to bring up in the House every session a matter of this kind. People say I am vindictive in following up Mr. Ellis. I have no feeling against anybody, but I want to see justice done. I spent four months of my time trying to get at the facts in this matter. Mr. Wood, the Commissioner, was sent up to St. Catharines to cover up the iniquities on the Welland Canal, and here we are to-day, four years after the investigation, without any step taken to punish the wrong doers. I am sorry that the Government have not got time to spend even half a day to look into this business. They have done the rest of the business of the country well, but they have done nothing in this matter. They do not even take enough interest in it to look at the evidence. My hon. friend told me that he looked at the evidence; it is the first intimation that I have had of any Minister of the Crown having done so. Will the hon. gentleman tell me what part of the evidence he has examined, because I am a little suspicious? He looked at Mr. Wood's report—he looked at two of them, because there are two. You know how difficult it was to find out whether there was more than one report. At first the Government said there was no second report, but I knew better. I knew there was a second report, and finally I got it. What object can there be in shielding these men? It only shows that the Department of Railways and Canals is mismanaged. How otherwise could they have allowed the Superintendent of the Welland Canal to go on constructing public works without any authority, while the Department paid for them afterwards? How could they allow the Superintendent of the Welland Canal to incur an expenditure of a thousand dollars, against the report of the engineers, and without the knowledge of the Government, except from what I have stated here in this House? That is the way the business of the Department of Railways and Canals is being carried on. I am forced to say so, because the evidence produced at the investigation proves it. Mr. Wood was sent there for the purpose of covering up the iniquity of those employed on the Welland Canal, and he did it well. What will be the next move? I should not wonder if they would pension off Mr. Ellis and give him a premium for his rascality. I will show you what great claims this man has on the Government for superannuation, because it has been hinted at that he should be superannuated. He has graduated in the public service of this country, and of course he ought to be paid He has claims on the Government. He took the men who were employed on the canal, to build his house, and paid them with Government money, returning it as if they had been working for the Government, and the paymaster paid them, and they signed the paylist as if they had been working for the Government. After three years, during which the evidence has been before the Government, they have not moved yet, and I tell them one and all that every word I say is proven by the evidence. That is not all. I gave them memoranda where to find the evidence substantiating what I have said, but they were too busy—they have not had time to look into this matter—it is beneath them. Mr. Ellis received $100, and free gas and fuel from the Gas Company. Was it for his good looks, or was it for favouring the company by turning the gas down during the season of navigation, to the injury of the country, while we were paying $10,000 a year for gas to light the canal from sunset to sunrise? It has been proven by the evidence, although the report of Mr. Wood does not show it, that people were drowned in the canal because the gas was turned down when it should have been turned up. Since I called attention to the fact in the House a year ago, we have had the gas burning full flare on the canal. Mr. Wood says the evidence was unsatisfactory. Even the lock tender who should have been on the lock where these people were drowned was away at the time. Mr. Ellis had his teaming charged to the Government, such as hauling manure, iron fencing, etc., besides his livery bill. They made him disgorge some of his livery bill, but they did not get half of it. Here they have this gentleman on the Welland Canal and he cannot order ten cents' worth of expenditure. The Government lost confidence in him after the revelations at the investigation. We have a double head on the Welland Canal now. Mr. Ellis is there, but his usefullness is gone, and they have a man there to look after him to keep him honest. Although none of the changes are made that even Mr. Wood advocated on the canal, yet by having this man there they saved $25,000 to the country last year. Mr. Ellis threatned to kick men out of his office because they had formerly refused to grant his requests. That is a nice officer to have on the canal. What were his requests? They refused to endorse his paper and they refused to lend him money. They refused, worst of all, to write letters to Sir Charles Tupper when Mr. Ellis was blowing his own horn, in order that he might get extra pay. He must have got somebody else to blow his horn, because they raised his salary from $2,000 to $2,900 a year and $300 a year for travelling expenses, but that did not satisfy the Government. They had to pay him $50 a month more. But when the matter was brought out they made him disgorge $475 of it. Of course the Government ought to superannuate this gentleman. He established a treasury board on the Welland Canal, composed of the clerk, the paymaster and himself. He pensioned off a man on the Welland canal for three years and seven months, putting him down for so many days every month when he knew he was not working. The paymaster and the clerk knew it also. Mr. Ellis had this pensioner put down under several different forms to hide it from the Government. The evidence shows all that. Mr. Ellis made forty-three false returns to the Government, trying to cover it up. Here is a man, after all I have said about him, who is still employed on the Welland Canal. They say they are going to look into this matter. They were going to look into it four years ago. I suffered a good many indignities about this matter. I said last year, and I say now, I can go on every stump throughout the Dominion and explain the way this Welland Canal has been mismanaged by the Government, and still be a Conservative. I could not be anything else. What are the Government keeping these men for? I have sent a list of them to the Government and they do not act on it. Mr. Ellis built a township bridge at the cost of the canal—took $1,000 out of the canal funds against the report of the engineer. He did that to please his friends. The Government cannot show by the pay-lists in the Department that that bridge has been built. I know they cannot, because I have gone through the lists for nine years and cannot find it. That is a good deal of work, but the Government of this country never sent me assistance. I have had to fight Mr. Ellis and the canal officials and all their friends and their attorney, and last, but not least, I had to fight the Commissioner. The Commissioner was the worst of all, because he was invested with authority. He was there with the powers of a judge. The idea of a judge receiving information from the Government what to do! When I put a question squarely that a witness should answer, when they were getting money to pay Mr. Ellis's debts, the Commissioner would not make the witnesses answer—he said they could answer if they liked. And it is the report of that man that the Government have before them. The Government themselves, if they ever glanced at the evidence, required him to make a second report and I do not know yet but he has made a third report. He made two any way, because I have got them both. Mr. Ellis built a custom-house and post office at Port Colborne with canal money, without any authority from the Department, and also a dock at the same place at a large cost, which dock is useless. Any one at all acquainted with the affairs of a country knows that the Department of Railways and Canals has nothing to do at all with building custom-houses. That is for the Public Works Department. But when that house was built, nobody owned it, and they had to pass an Order in Council vesting it in the Public Works Department. Still the Government, knowing that, continue to keep Mr. Ellis in office. Mr. Ellis allowed the waters of Lake Erie to run into the Welland Canal causing damage to the extent of $25,000 when he had plenty of men and means at his disposal to prevent it. He had his instructions, yet he allowed this to occur: that is the report of the Engineer, Mr. Page, that the country lost $25,000 through Mr. Ellis's neglect. If he had only been guilty of neglect a man could forgive him, but when you find so many peculations coupled with the neglect you cannot overlook it. He certified to Henry Vanderburgh's time when he ought to have known better. There is an old gentleman on the canal who was worn out 15 years ago, to my own knowledge, but they put him on there. He lives at a place called Allanburg, and he keeps the time of the men working at the gate-yard at Port Dalhousie, which is 14 miles away. He goes down in the morning by the train and gets there about 8 o'clock, and leaves there at half-past five in the evening. It is important to have such an official, because he was keeping the time, weighing material, etc., and putting the figures down in a scratch book, as the evidence shows. He has charged the Government as high as $205 a year for railway fares. That is by his own evidence. I had him before the Commissioner four times before I got the truth out of him, and I found that while he was charging the Government $205 a year for railway fares, his tickets cost him only $32. That man is there yet on the canal. And that is the evidence of Henry Vanderburgh. Mr. Ellis built structures such as bridges, flumes, and so on, that he had no right to do, as is proven by the evidence. What did he get in return? He got a testimonial from the manufacturers at St. Catharines of several hundreds of dollars. I could go on and show what great claims Mr. Ellis has on the Government to retain him in his place, but I think the few factsI have submitted to the House ought to be enough. I cannot take the Government by the throat to make them do right, but if they continue to do as they have been doing in this matter, I am bound to resent it as far as I can. There are others in the wrong besides Mr. Ellis. They could not have managed as they did if there had not been a ring. There is another gentleman on the Welland Canal with whom I must deal now—he is called John B. Smith and another gentleman named Demare, both assistant superintendents as they are called---there are seven or eight assistant superintendents altogether. Even Mr. Wood, after breaking nearly all the commandments, recommended that three of the assistant superintendents be discharged, but the Government have not had time to attend to it. There is this Mr. Demare who paid money to himself that he should have paid to the Government. He says that he sent the money through the post office to be put to the credit of the Government, but the money never got there. It is a question whether he sent it or not—he says he did, but the money was never received by the Government. He sent men to work at Mr. Ellis's house and also to the house of Mr. Lawrence, clerk of the canal, and the time was returned as if they had been working for the Government, and they signed the pay list. These are some of the gentlemen whose conduct the Government want time to look into. They had not time to look into the accounts sent in by Mr. Ellis and they took it for granted that they were all right. Mr. Ellis allowed Government employees under him to work at Mr. Roger Miller's contract. The time was returned as if the men had been working for the Government. The men were paid by the Government paymaster while working on Mr. Roger Miller's contract. Mr. Miller was paid in full for his contract, although he gct Government men's labour and Government material, and was not charged with the same. He also let Government land on shares. Hon. gentlemen will remember hearing me speak in the House long ago of pickings; one hon. gentleman laughed when I said at the beginning of the investigation that Mr. Ellis was getting pickings. Now, here are the pickings. He let Government land on shares to be farmed, and he got one-third of the crop for his own use. Of course the amount was not large; he may have got 500 or 600 bushels of grain a year. I did not think that was a very serious thing; but let us consider the matter. It is in the evidence that three of his friends, lock tenders, gave him a share of their crops; they describe the shares and the number of bushels he received. Now, there were three of his friends who had to be dragged out to swear to this; and what do you suppose Mr. Ellis swore to? He swore that no man gave him a share of his crop. This is the gentleman we have now on the Welland canal. I ask the Government to look at the evidence, if they do not believe me, and they will see that what I state is the case; they must believe the evidence. This man to whom I referred as giving a great deal of trouble on the canal, when I spoke first, locktender Bradley, swore that Mr. Demare wanted him, Bradley, to make a false report against a brother locktender; so that he, Demare, could have the said locktender dismissed from the lock, as he, Demare, did not like him. Well, if that is not making trouble on the canal, I do not know what is. Mr. Demare takes the gas; he has burned five jets in his house for years. During the season of navigation the Government pay for the gas as furnished to the shop at Port Dalhousie, the gas going through the Government meter there and being charged to the Government. Mr. Ellis gets his gas from the Gas Company; Mr. Demare has his charged to the Government. Now, this is the condition of affairs on the Welland canal. Is there any use of going further?

Hon. MEMBERS—No, no.

Hon. Mr. McCALUM—There are three or four more; shall I deal with them further?

Hon. Mr. KAULBACH—Enough.

Hon. Mr. McCALLUM—But the Minister has not got enough yet. I am not dealing with the hon. member for Lunenburg; it is the Government I am after—the leader of the Government; because of all men in the service of the country, I respect him, and I believe if he had had charge of the Department of Railways and Canals from the beginning he would have looked after this matter. There is one thing he did not look after closely in connection with the management of his own Department. He allowed $700 worth of boots to be entered free; he did not collect duty on them. That came out in the investigation. Roger Miller brought in that amount of boots, and he made 80 cents a pair; and that was not all. In order to sell them to the men he returned two days' work for every man to pay for the boots—two days' work that was never done.

Hon. Mr. BOWELL—Who brought them in?

Hon. Mr. McCALLUM—Roger Miller brought them in.

Hon. Mr. SMITH—Were they leather?

Hon. Mr. McCALLUM—No, rubber. I was hunting for the boots over there, and if I had found them I was going to have them seized.

Hon. Mr. BOWELL—I can assure the hon. gentleman he is making a statement for which there is not the slightest foundation. I never heard of the boot transaction before, and no man who ever smuggled into this country had any permission or countenance from me in any case that was brought under my notice. I have no doubt there has been a great deal of smuggling, but the hon. gentleman would be better acquainted with that than I would.

Hon. Mr. McCALLUM—I do not accuse the hon. member of anything of that kind.

Hon. Mr. BOWELL—But you did.

Hon. Mr. McCALLUM—No.

Hon. Mr. BOWELL—The hon. gentleman said these goods were smuggled and that I knew it.

Hon. Mr. McCALLUM—I did not say that the hon. gentleman knew it, but I say that if he had looked at the evidence he would have known it. I say there is no doubt at all that the thing was done in this way, that the department knew of it, but that the hon. gentleman knew nothing of it.

Hon. Mr. BOWELL—They never received any such privilege from me, or any one else. No man ever received permission from me, while I was Minister of Customs for nearly 14 years, to bring goods into this country without paying duty.

Hon. Mr. McCALLUM—Well that is straight so far, but that is the excuse they made. That is all I can tell you; that is the evidence sworn to. I take the Minister's statement on that, but I may say to him that he can see the list here in the Debates of the goods—the clogs to have a clog dance at Port Dalhousie Hall; and there is no doubt that the duty was not paid on these goods. The Minister says that I accuse him of allowing that, but I do nothing of the kind—very far from it. I might accuse him of something else, but not of that.

Hon. Mr. SMITH—Do they have clog dances over there?

Hon. Mr. McCALLUM—Well, you can go over, and see if you like. You must not try to bother me, because I will not be bothered.

Hon. Mr. SMITH—Oh, no.

Hon. Mr. McCALLUM—The more I get the more I will give. Now, as to these boots, the hon. gentleman feels very tender about them, thinking that I want to say that he sanctioned smuggling, but I do not say anything of the kind; I know too well for that. But these are the facts, as he can see by looking at the Debates, where I called attention to the page in the evidence where the invoice of the boots appears, and if he wishes to satisfy himself, I will show it to him. I am not finding so much fault about that; the trouble is that every man who bought a pair of boots had two days' work returned, work that he did not do, and the Government of the country were deceived. That is what I find fault with and not the matter of the duty on the boots. I do not like really to think that the hon. gentleman should get so peppery because I mentioned a name. I might mention my hon. friend's name in reference to something else, because there is no doubt at all he was instrumental in sending this gentleman Wood over there to look after the canal investigation, and I say certainly he picked the right man in Mr. Wood to shield the wrong-doing of the canal officials. I will say this much for him, that he is a very clever man, and he was sent there for that purpose; I might therefore accuse the hon. gentleman of doing that, but I do not accuse him of winking at the smuggling of boots into the country. Mr. Roger Miller had a contract at the house that Mr. Demare lives in. It is a Government house. He sent the Government men to do the work, and paid the Government men and paid for the material to do the work and Roger Miller got the pay for it. Mr. Miller had the contract. And what did Mr. Wood say? He said the work was well done, and passed it over in that way. The hon. gentleman says: "Oh yes, we looked at the evidence, we read it," but I have serious doubts about that. I have got the evidence with me here; it makes quite a bundle, but if any one of the Ministers will give me half a day, I will take the trouble to turn from page to page and show him where it is. When I was speaking in the Senate and summing up this case, I quoted very nearly every page where they would find the evidence. Now, my hon. friend, the member for Lunenburg, says he has had enough; he cannot stand much.

Hon. Mr. KAULBACH—You asked me if I had enough, and I said yes.

Hon. Mr. McCALLUM—John B. Smith is a very fine gentleman connected with the canal, I had not much fault to find with him, but Mr. Ellis used him to borrow money from the employees on the canal to pay his debts. If you look at the evidence you can see what that arrangement was. I have not got the page just now, but the arrangement was this; they paid him a dollar a day more for the use of his horse than they ought to have paid, if he would allow half a dollar a day to stand back to pay Mr. Ellis's debts. This arrangement went on for two years. There are two other men just in the same position as this man. I brought them up, but this Commissioner selected by the Government to get at the facts on the Welland Canal would not compel them to answer. He said "ask him if he got any money corruptly." The idea of a man appointed Commissioner on the Welland Canal investigation to take evidence and get at the facts, with the powers of a judge, wanting to make the witness the judge of corruption! That is what I had to contend with. As I claim, Mr. Ellis used this man to borrow money to pay his debts. I might go on and show other things; there are one or two more. As you heard me state in the House, one gentleman took some plank, and his excuse was that he wanted a man to bring old plank to floor his stable and his barn. He took him new plank and the gentleman kept the new plank and did not return it. You heard me say in the House he wanted old plank and he kept the new. That is all I have to say at present, I have the return here where the Government made Mr. Ellis disgorge this money which he took improperly; and even Mr. Wood, when he refers to the witness Chatfield, who worked three weeks at Ellis's house, does not say anything about it; he gives his name but does not tell the amount. I have got an account in my hand of the amount of money this country has lost by that; but still the Government think it is all lovely; they do not want to disturb him. Here is the answer—it is very satisfactory—they have it under consideration. All I ask them to do before they arrive at a conclusion in that matter, if they are ever going to arrive at a conclusion, is to consult the evidence, and if they have not a copy, I will furnish them one. I ask the Government particularly to look at the evidence and not at Mr. Wood's report, which is contrary to the evidence—which makes the evidence perform an opposite duty to that which it should do to cover up these people. He even tells them after that that the country is losing $20,000 a year, and still the Government of this country permit this state of affairs—the Government that I have been supporting all my life, the Government that I think is perfect, barring this. If I can remove this objection to them, I can go before the world and say we have a good Government, but while this remains there is a blot on them in my estimation and in the opinion of a great many others. The action of the Conservative Government in this matter is giving the dry rot to the Conservative party in the counties of Welland and Lincoln. That is my opinion. Of course they may not think so; but it has done much to hurt the Government, for this reason—they know what is going on. My speech is in the hands of the Conservatives all over the country; they get disgusted when they see what is going on. They know how this man tyrannized over the people before, and they sent a man there to watch him. If the Government had so little confidence in the man that they had to send some body to watch him, they ought to dismiss him. These are all the observations I will make at present. Later on I may put another question on the Paper. I trust the hon. Minister will be kind enough to tell me when the Government will arrive at a conclusion in this matter.

Hon. Mr. O'DONOHOE—Seeing the persistence with which my hon. friend has pursued his subject, I have taken the trouble of going through the evidence in detail and the report made by the Commissioner upon that evidence. After my hon. friend had all the opportunities he desired, calling witnesses from every quarter, examining them for days and days together, with counsel upon Mr. Ellis's side, the hon. gentleman choosing to conduct his own case upon the other.

Hon. Mr. McCALLUM—It was not my case, it was the case of the public.

Hon. Mr. O'DONOHOE—He conducted the case of the public then before that Commission; but during that investigation my hon. friend never questioned the integrity of the Commissioner. He went on with the case for a number of days, and a very large amount of expense was incurred that the country had to pay for. The Commissioner sat there until there was no more evidence before him, and then he made his report, and he found as a result that during the period of over ten years that this official was superintendent of the Welland Canal there were some slight irregularities, amounting to a sum, during the whole period, of not over $100, and that it occurred in this way—year after year carters and others engaged upon the canal were sometimes told by him in the evening, or at noon, to take a load of gravel and place it upon the walks around his house; little things like that going on for over ten years make the sum of the irregularities which this Commissioner found. Now, it is a matter of regret to me to have a word to say in opposition to my hon. friend, for whom I have the greatest respect; but I feel I would not be displaying a manly spirit to sit here knowing the facts and having read the evidence and the reports, without mentioning this to the House. There was nothing in all the statements made here—and they have been very large and very unlimited both in amounts and quantity. This report is that the sum of the irregularities over a period of ten years that Mr. Ellis has been in office did not exceed $100.

Hon. Mr. McCALLUM—That breaks the record of the opposing lawyer, Mr. Rykert.

Hon. Mr. O'DONOHOE—I must beg to take exception to the hon. gentleman's statement; it was the report of the Commissioner. The persistence with which my hon. friend has pursued this subject is only consistent with the statement which he made there, that because he did not take into his employment a man whose conduct did not warrant him in employing him, that he would pursue him until such time as he put him out of office.

Hon. Mr. McCALLUM—I say the hon. gentleman is wrong; I never made that statement and nobody ever told him that I did.

Hon. Mr. O'DONOHOE—I was speaking of the official report of the Commissioner.

Hon. Mr. McCALLUM—It does not say anything of the kind.

Hon. Mr. O'DONOHOE—I will say this, that in order to relieve this House and the Government, for whom I am not here to speak, it would be well that that report of the Judge sent to hear the case should be read to them, and being read I think there would be an end of any further inquiry upon this harrowing subject.

Hon. Mr. FLINT—Was the hon. gentleman there to hear the evidence?

Hon. Mr. O'DONOHOE—I read the evidence—that was what I said.

Hon. Mr. McCALLUM—Will the hon. gentleman be good enough to tell us how many pages of the evidence he read?

Hon. Mr. O'DONOHOE—I read the evidence of every witness examined in that investigation, and I read the report.

Hon. Mr. ALMON—We all remember that some years ago the hon. gentleman brought this matter before the House. The charges were very strong indeed, involving fraud, and indeed almost every crime that a man could be guilty of. The charges were supported by very strong arguments, and we were right in not listening to them (because there are always two sides to a question), until the Government appointed a Commission to investigate the matter. The Government did appoint the Commission, I think, some three years ago, and they have been very remiss in not deciding promptly upon the evidence. If Mr. Ellis is in the right, the Government have a great deal to answer to Mr. Ellis for allowing his character to remain blackened by the charges of the hon. gentleman. If Mr. Ellis was wrong, he should have been dismissed. I do not think it is for want of energy on the part of the Minister of Railways that he remains in office. He managed to discharge thirty or forty clerks who had been employed on the Intercolonial Railway, giving them only two months pay.

Considering that many of them were old in the service, and of course unable at their time of life to find anything to do, that was very energetic action on the part of the Minister. I think the leader of the House is wrong in saying that the hon. gentleman had not time to look into the question. We know he has a great deal of energy in some ways. He does not seem to want for energy and activity in that kind of thing, and therefore, I think, in four years the Government ought to have had time to decide whether Mr. Ellis was right or wrong. If he is wrong let him be discharged, or if the report of the committee is not strong enough to warrant that, let him be reprimanded. If, on the contrary, the charges of the hon. gentleman have not been sustained, let them say so, and let the censure fall on the hon. gentleman who has brought the matter before this House.

Hon. Mr. FERGUSON—I do not rise to say one word in condemnation of Mr. Ellis or anybody else, but I do rise for the purpose of making some explanation. The first matter to which my attention is called is the livery bill. Every one who lives in the Niagara district knows that engineers from foreign countries and elsewhere visit the Welland Canal. They are sent there by their Governments to examine that work, and Mr. Ellis has always been instructed to show them over the work—he has employed and engaged horses and cabs to drive these men over the works. That has been the custom throughout the whole of the management of the canal. Mr. Ellis carried out that custom under instructions, as I understand, and these livery bills represent the expenditure in that way. It has been the custom of the Government to pay for the use of horses for the superintendent to travel the length of that canal, and when he did not use a horse, to pay his railway fares. That canal is 27 miles long and there are important works on nearly every half mile of it. The superintendent has to be on the canal constantly, and if he had to pay his expenses it would eat up his salary. Many a time he is called out at night to go 15 or 16 miles to examine a break on the canal. These are some of the items in connection with that expenditure for livery. I have not read all the evidence, but I have thought it due to the House to point out these matters. Another statement that I would like to make is that the construction and repairs were constantly going on on that canal during the whole time of Mr. Ellis's management and superintendency. That construction work and these repairs were constantly being mixed. There were foremen employed by the Government doing work at one place, and Mr. Ellis had men doing work at another place and they were interchanged, so that it was difficult to keep their time apart. I can therefore readily understand that irregularities would creep in under such circumstances. If I understand the case, Mr. Miller was a foreman under the Government. He was employing men doing work in the winter season. These men had to work in water up to their knees a great part of the time, repairing the locks and putting in gates and that sort of thing. The rubber boots to which the hon. gentleman has referred were necessary, and if those boots were brought in free of duty, they belong to the Government and they are the property of the Government to-day, and are hanging up in the storehouse at St. Catharines.

Hon. Mr. McCALLUM—The hon. gentleman spoke of Mr. Ellis's livery bill. Does he not know that the Government of this country allow him $300 per year specially for livery expenses? If the hon. gentleman looks at the accounts he can see that.

Hon. Mr. FERGUSON—I quite understand that. The $300 is for this purpose—there is a railway running the length of the canal and the $300 is to pay expenses of the railway and horse-hire back and forth, but the expenses to which I refer are those that I have described. Frequently those foreign engineers have come to me and I have turned them over to Mr. Ellis and he has looked after them. My own opinion is that Mr. Ellis was justified in charging the Government with those expenses. I have been informed that in many instances the engineers came to Ottawa and were sent to the Welland Canal with a note to Mr. Ellis. I mention this to show how irregularities might come in. With regard to the gas in Mr. Ellis's house, I do not think he was judicious in taking that. The gas is furnished on the canal by contract with the Gas Company. Mr. Ellis has nothing to do, as I am told, with the making of that contract. The contract covers the lighting of the Government offices as well as the canal, and Mr.

Ellis was injudicious enough to let them put the gas into his house, but in no way could it affect his relationship with the Gas Company, because the company was under contract with the Government. Then the hon. gentleman referred to repairs made to houses. I may tell the House that the locktenders' and bridgetenders' houses are furnished by the Government. Each man pays $5 a month for the use of the house, and the Government keep the house in repair at their own expense. I do not know the particular house to which the hon. gentleman referred, where Miller's men were sent to repair it, but I do know that in nine cases out of ten the Government furnish the houses for these men, and as the men have to pay rent the repairs should be done at the expense of the Government. I have not read the evidence at all, and I simply make these explanations in order that the House may be informed of the facts. With regard to the overflowing of Lake Erie into the Welland Canal, by which so much damage was caused, I may say that although the damage was reported at that time to amount to $25,000, it turned out to be nothing like that amount. The damage was all repaired by the men on the canal themselves. I may add that the works at that point were under construction and repairs at the time and there was a difficulty between Mr. Thomson, the engineer, Mr. Page, the chief engineer, and Mr. Ellis—that portion of the work had not been handed over to Mr. Ellis and he did not conceive it to be his duty to look after it. Each one tried to screen himself in the matter, but, as I say, there was a difference between the Superintendent and the engineers who constructed the work as to the time when the Superintendent should take the work over.

Hon. Mr. McCALLUM—Mr. Ellis had the keys and had full instructions to close the gates. This is shown by the evidence.

Hon. Mr. FERGUSON—That it true, but there are telegrams which passed between Mr. Ellis and Mr. Thomson, who had charge of the work. If there were irregularities, you can well understand that they arose through a difference as to who had control and who had a right to look after this and after that; it was very difficult to separate the two works. In that way I apprehend a great many irregularities crept in. I do not say this in defence of Mr. Ellis, or anybody else. I speak of it in order that the House may be seized with the reasons for some of these irregularities, and if the Government examine the matter I would like them to investigate that particular phase of the question. I have no particular interest in Mr. Ellis, or anybody else, but I would be wanting in my duty as a public man living in that locality, if I did not put the House in possession of the qualifying circumstances in connection with the matter.

Hon. Mr. McCALLUM—I have no objection to the hon. gentleman speaking, but he should confine himself to facts. He speaks from hearsay; I speak from what was sworn to before the Commission. About the overflow of Lake Erie, I am speaking of the evidence of Mr. John Page, who was a prominent man in the country. It appears to me that the hon. gentleman from Welland must have had the story of Mr. Ellis, or his counsel, Mr. Rykert; he could not have got his facts from the evidence.

Hon. Mr. BOWELL—I have only to add a few words to what I said a few moments ago about the boots: If the statement made by the hon. gentleman from Welland be correct, then they came free into the country legitimately, because the law specially provides for the free admission of articles imported by or for the use of the Goverment. I have no recollection of ever having heard of it before, but the idea may have become prevalent that these boots were admitted free in the interests of the contractor or of the foreman. If the contractor imported, and would otherwise have had to provide them, they would have been dutiable; if they were imported by the foreman for the use of men employed by the Government, they would be free under the law.

Hon. Mr. McCALLUM—I think I stated it that way—that that was the way they came into the country. It was not the matter of duty on the boots, but every man who got the boots had two days' time returned to pay for the boots, and the contractor, by getting the boots admitted free, made 20 cents per pair on the boots.

THE DISMISSAL OF JOHN J. COSGROVE.

MOTION.

Hon. Mr. O'DONOHOE moved

That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will cause to be laid before this House, copies of the Order in Council, information, evidence and papers upon which the dismissal of John J. Cosgrove, an officer of the Inland Revenue Department, proceeded and was determined.

The motion was agreed to.

THE GOVERNOR-GENERAL'S INSTRUCTIONS.

MOTION.

Hon. Mr. WARK moved:

That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will be pleased to lay before this House, a copy of the Royal Instructions from Her Most Gracious Majesty the Queen, to His Excellency on his appointment to his present office,

He said:—In the first Parliament of Canada, which met on the 7th November, 1867, Mr. Alex. Campbell, afterwards Sir Alex. Campbell, moved, seconded by Mr. Blair, that an address be presented to His Excellency the Governor-General for a portion of these royal instructions, and if the Government of that day thought that such information was necessary for the House at that time, no argument is neceasary to show that such information should be in our possession now.

The motion was agreed to.

BILL INTRODUCED.

Bill (M) "An Act respecting the trial of Juvenile offenders." (Mr. Allan.)

THE BALFOUR DIVORCE CASE.

THIRD READING.

Hon. Mr. GOWAN moved the adoption of the 15th report of the Select Committee Divorce *re* Bill (B) "An Act for the relief of James Balfour," and gave a summary of the evidence.

Hon. Mr. ALMON—I do not mean to say that this subject has been sprung on the House, but I think it has been prematurely brought under discussion. The evidence was only put in my box to-day. Although it is a very clear case, still very many cases may occur requiring consideration and twenty-four hours ought to elapse between the time we are put in possession of the evidence and the time we are called upon to give a decision. I have very great respect for the Court as it is at present constituted, but they are not a Court to try the case—at least that is my opinion. I may be wrong, and if so, I hope the lawyers in the House will correct me; but I think they are a committee to take the evidence which is laid before us. Well, if that evidence is laid before us at ten o'clock, we can scarcely be in a position to discuss it at three; it may be very voluminous and require very great consideration, and members who are not as early risers as myself would not have time to read the evidence. I will withdraw my objection in this case, but I think hereafter if we could be allowed a little longer time to consider the evidence it would be very much better. The committee are not the judges; they take the evidence and they must give us time to consider it. If I am wrong in what I have stated as to powers of the Court, of course I withdraw it, but I think hereafter we should have a full twenty-four hours to consider the evidence before we are called on to give our decision.

Hon. Mr. KAULBACH—I quite agree—as I very seldom do—with my hon. friend behind me.

Hon. Mr. ALMON—Hear, hear.

Hon. Mr. KAULBACH—I quite agree that it looks unseemly and improper in these cases to be called upon, in less than twenty-four hours after receiving the evidence, to decide upon them in this House.

Hon. Mr. McKINDSEY—It was printed yerterday morning.

Hon. Mr. KAULBACH—It never came to my post office until eight o'clock last evening. This case seems to me to be a very clear one, but every man has a right to his own judgment in such matters; and what might seem very clear to me sometimes would not seem so clear to others, or the reverse of that would very often be the case. But I tell my hon. friend behind me that I think the duties of the committee are not only to collect the evidence but to report upon the evidence, and the finding of the evidence, and generally the finding of the committee is affirmed by the Senate and by the lower House; so that my hon. friend must not ignore the rights and privileges and duties and responsibilities of the committee. I simply rise to say that I think generally we should have at least forty-eight hours; the evidence should be distributed and should be in the hands of hon. gentlemen that length of time before they are called upon to vote. I can assure the hon. gentleman I did not mean to interrupt him in any unpleasant manner; I was merely uttering the views of gentlemen around me, who seem to think it was not proper that a summary of the evidence should be taken down by the reporters and appear in the Debates.

Hon. Mr. CLEMOW—I think the remarks of the hon. gentleman from Halifax are perfectly correct. It does seem extraordinary to me that the printing of this House has been so badly attended to. This matter has been in their hands for some days and was only distributed last night, and some members have not received their copies yet. There is something radically wrong with respect to the printing of the House, and I want to bring it to the attention of the Government in order that it may be rectified. We have had the same difficulty from year to year, and I do not see any change in the least respect so far as these Bills are concerned in the present session.

Hon. Mr. OGILVIE—I do not know how the Bills may be printed, but the Debates of the Senate never were printed more promptly than they are now. They are here the next day now, whereas before we sometimes did not have them for a number of days.

Hon. Mr. POWER—I find myself in a most unusual position to-day; I am obliged to agree with the hon. gentleman from Lunenburg in front of me, and my hon. friend behind me. That is a combination of circumstances which I do not remember having occurred before. I quite agree with those hon. gentlemen in thinking that the evidence should be in the hands of members for a sufficient time to allow them to read it over carefully and make up their minds on it, but I did not rise to express my concurrence with my hon. friends, but to express my regret at the new departure which seems to have been taken by the hon. gentleman from Barrie. It has not been the practice in the House since the time I came here, which is now a considerable time ago, up to this year, to have the evidence in these cases set out in the Debates of our House. The evidence is printed for the use of members, and every hon. gentleman can satisfy himself as to whether the evidence in a given case is sufficient to warrant him in voting for the passing of the Divorce Bill or not. This House, a great many years ago, was so anxious that the evidence in those divorce cases should not be scattered broadcast, that it made a rule forbidding the distribution of the evidence outside of the members. The evidence is kept by the clerk in the book, and copies of the evidence sufficient for the use of members are printed, and no more. I could understand in a contested case, where the evidence was of a conflicting character, that the Chairman of the committee, or any member of the committee, advocating one side or other of the question should think it his duty to go into the evidence at some little length, but this session there has been no case of that kind. This, I think, is the second case we have had to deal with. There has been no conflicting evidence at all. Both cases were unopposed, and I think it is very much to be regretted that the hon. Chairman of the committee should have thought it his duty in both to go into the evidence at some little length. There is no earthly object, which I can see, to be gained by that course, and the very objectionable result is that that evidence which we take great pains to keep within our own walls is scattered in our Debates all over the country. I think that this is a very regrettable circumstance; and my own feeling is that the proper course to take now would be simply to state that the hon. Chairman of the committee had moved the adoption of the report and to suppress the summary of the evidence which he gave. It is true the hon. gentleman did not use the vile language which was reported in the evidence, but he gave us all the circumstances, and I thought it was an exceedingly fortunate thing that the hon. gentleman spoke in so low a tone that some of the audience did not hear what he was saying; but while it is true that the audience did not hear what he was saying—the audience below the bar—his statement goes upon our Debates and that is, I think, an exceedingly objectionable thing, and is contrary to the will of the Senate expressed on several occasions.

Hon. Mr. GOWAN—I could but very imperfectly hear the junior member from Halifax. So far as I could understand what he said he referred to the non-printing, or the non-distribution of the evidence taken before the committee. The hearing, I think, only occupied three hours. The Bill was distributed very shortly after noon yesterday; and I did not suppose for a moment that a man of his great intelligence and familiarity with evidence could fail to have mastered the subject in an hour. With regard to what my hon. friend, the senior member from Halifax, says I assure him it would be a matter of relief to me if the House felt that I would do my duty by simply moving the adoption of the report I thought I was pursuing the proper course; however, I may be mistaken, and if the House thinks so I certainly will with very great pleasure alter my course and simply move the adoption of the report. I thought it my duty to bring out the salient points of the case, not using any language which would offend the most sensitive person, and I took a great deal of trouble in preparing the statement; it was a difficult thing to reduce what one has to say in a few words, and yet bring out all the facts. I took a great deal of trouble to prepare myself so as to accomplish that result. I have no desire to occupy the time of the House speaking on the subject, and if it is the general wish of the House, I would simply in the future move the adoption of the report. I have been told, and told repeatedly, that members in the House of Commons were in the habit of looking at what was said on the motion for the adoption of the report in the Senate to get a clue to the case; and it was partly with that view that I took this course. In the next report I make I will adopt the course suggested, if the House desires it. This is a perfectly clear case, and any man of ordinary intelligence would see in half an hour that the committee was warranted in recommending the adoption of the report. When the House submits a case to hon. gentlemen who take every pains to inform themselves fully, and commits the duty to them, unless there is some objection, the House generally adopts their report. I can only say that I desire to meet the wishes of the House, and I have earnestly tried to do so in this particular matter. I know it is not a pleasant subject, and I used my utmost endeavours to present it in such a way that it would not be objectionable.

The motion was agreed to.

Hon. Mr. CLEMOW moved the third reading of the Bill.

The motion was agreed to.

THE HEWARD DIVORCE BILL.

THIRD READING POSTPONED.

The Order of the Day being called—consideration of the 16th report of the Select Committee on Divorce *re* Bill (A) "An Act for the relief of Edmund Holyoake Heward."

Hon. Mr. GOWAN said—I am not in a position to move the consideration of this report this evening and for reasons I desire to submit to members of the Cabinet, and which I think it my duty to lay before the House. Hon. gentlemen will remember that when a change was proposed in the mode of printing for this House it was thought it would be a very great advantage, indeed, to have it under Government auspices and accordingly a Bureau was formed for that purpose. I have some experience in printing for the Senate, but I speak only from my experience in connection with the Divorce Committee. I have had some experience in the past and I have some experience at present, and I must say that I think the new order of things, so far as my knowledge extends, has not met expectations. Now, in the case that has just been referred to I thought, as I saw it in proof yesterday morning, that it ought to have been down immediately afterwards; it could not take more than an hour or two to strike off and ought to have been down immediately. I mention the fact to the hon. gentleman from Ottawa, and I could mention a further fact which shows me there is something wrong in the Bureau. There is a case which has not yet come up, which I think shows mismanagement in the Printing Bureau. In reading over the proofs, as I usually do, of all the cases that come up, I found a vital omission in the report of the Hebden case; a most important exhibit was entirely left out. Thinking that the fault might be with some of the officers of the House, I at once went to them and ascertained that the error was not with them; they had there the paper which was sent to the Bureau which showed clearly it was a careless act altogether.

Hon. Mr. KAULBACH—By whom?

Hon. Mr. GOWAN—On the part of the Bureau. The pages were shown to me all numbered including this exhibit, and it was not printed; it was a most stupid blunder for this reason; the exhibits were all numbered in consecutive order; I think it was exhibit 5 or 6, but they had before them that which showed there was an omission of some kind and it was sufficient to attract their attention, but they took no notice of it whatever. So far as the officers of the Senate are concerned, all I could say is in their favour. I think they have been very careful to mark exhibits. It is a strange omission, but the subject generally is very important. In the first place, it is very important to the parties concerned who are delayed and hindered in their business; it is a very great annoyance to the committee who, goodness knows, have annoyance enough in going into these cases; and it is an unnecessary annoyance to the committee who are delayed; and further it is a very important matter in this respect; the country pays for all the loss that is occasioned. If the business of the House is delayed, it is delayed at the expense of the country. I hope and trust that the hon. gentlemen who are members of the Cabinet here will cause an inquiry to be made. This condition of things is something I have not been accustomed to. Thousands of papers have passed under my notice, and I never saw such unnecessary delay, and I must say that some of the proofs that came to my hand would not do credit to an ordinary country printing office. I do not expect the report I refer to down till to-morrow, and therefore would move that the consideration be postponed till Thursday next.

Hon. Mr. KAULBACH—I hope the hon. gentleman, the Chairman of the committee, who gives such careful attention to the work he performs, will not allow himself to get into the habit of revising the printed evidence. I have very often sat with the committee as Chairman and have never undertaken that duty. I think my hon. friend should not be imposed upon. I think that the stenographer's duty is done when he reports the evidence and transcribes it. The Law Clerk should see that the evidence is perfect and that nothing is defective, and while complimenting my hon. friend on the industry, care and attention he gives to these matters in seeing that the evidence is properly elucidated, I hope that in the future he will not take upon himself the onerous duty of revising the Printing Bureau.

Hon. Mr. GOWAN—I did not mean to convey the idea that I examined the proofs with a view to correction. I did nothing of the kind. I have never done so in all my long judicial life, and I do not undertake to do it now, but I have the advantage of receiving the proofs in order that I might deliberately at an early day go over them and consider them and see if every thing was correct and right. The proofs are examined by the officers of the House, but I was anxious to get an early copy of the galleys in order that I might study the matter as it became me to do as Chairman of the committee.

Hon. Mr. READ (Quinté)—In this case a very important letter was left out, and it would be well if some one would examine these documents after they are printed; otherwise the parties interested might not have their case presented to the legislature in its proper form.

Hon. Mr. BOWELL—I am very glad the hon. gentleman, the Chairman of the Divorce Committee, has called attention to the delay which has taken place in the printing, and also the omission of one of the most important documents. I shall see that the attention of those who have charge of the Bureau is called to it, and endeavour to avoid delays, if possible, in the future. In the multiplicity of business which goes through a large printing office like the Government Bureau, we must not be surprised if occasional errors occur, and sometimes errors of a very important character, and it is the duty of the clerk of that committee, whoever he may be, in supervising the proof sheets, to see that the evidence is laid before the House in a complete state. It is not the duty of the Chairman of the committee to do this kind of work, but it is only creditable to the hon. gentleman to say that so anxious was he to have the report of the committee complete that he examined it himself. A very amusing mistake occurred in reference to some remarks made in this House some short time ago, in making quotations from the Toronto *Globe;* you would have been surprised if you had seen it. A portion of the extract was omitted in the very centre, and put in large type, as if it were mine, and if it had gone to the public in that way I should have been quoted as approving of the most radical doctrines and the most objectionable language towards the government of which I am a member. I merely instance this to show that these errors will occur and I cannot conceive it possible that that could have been intentional. I am glad my hon. friend has called my attention to this matter, and I repeat again that I shall see that the Printing Bureau is notified of it and that a little more care is taken in future.

SECOND READING.

Bill (E) "An Act for the relief of James Frederick Doran." (Mr. Clemow.)

The Senate adjourned at 5.35 p.m.

THE SENATE.

Ottawa, Wednesday, March 8th, 1893.

THE SPEAKER took the Chair at 3 o'clock.

Prayer and routine proceedings.

THE CUSTOMS OFFICIALS AT QUEBEC.

MOTION.

Hon. Mr. BELLEROSE moved:

> That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will be graciously pleased to cause to be laid before this House, a list giving the names and salaries of all persons now employed, either permanently or temporarily, in the customs at Quebec, showing the age, nationality, religion, salary, occupation and date of entry into the public service of each.

He said:—I regret exceedingly having to bring these matters before the House. I know there is a feeling among some of the hon. members of this House against this question being brought before Parliament, but no part of the community should be so treated as to feel forced to do so. Sensible men, whether French, Scotch, Irish, German or any other nationality, are wise enough and Christian enough to know that the best means of agreeing together is to give full justice to every man. We in Quebec, who are the majority, have been so long accustomed to give to other nationalities their rights and privileges without waiting to be asked, that we always feel any injustice keenly, and if there is injustice done to us it is because my compatriots have been too slow to vindicate their rights. I know there are some hon. gentlemen here who want to ridicule that statement, but it is quite true—the public documents show that. Were we not too slow to ask for redress 10, 12 or 20 years ago when evidence was put before the House as to the public patronage? Have we not been too slow since 1867, waiting until 1881 for those documents to prove that our rights had been ignored by the Government of Canada since Confederation. I may bring to the recollection of hon. gentlemen the fact that on the 8th of March, 1881, 12 years ago, the hon. member for De Salaberry at the time (the late Mr. Trudel) rose in his place in this House and asked for a list of all the civil servants in Canada, whether employed in the inside service or in the outside service. The Government seemed to endeavour to find out how they could take exception to the demand, and here are the words of the leader of the Senate:—

> I do not know whether my hon. friend who made this motion considers what labour and expense will be involved in complying with the address which he asks the House to adopt. It includes not only the inside service, but also the outside service of the Dominion. To obtain the information for which he asks, correspondence must take place with the officers of the Dominion throughout the country, and returns must be made of their various ages, religious and nationalities. Then the compilation of that, and the printing of the returns will cost the country several thousand of dollars, and cannot be completed for several months. * * * The subject will certainly involve very large expenditure, and the information connot be secured for several months, and when procured the return will be of no use unless printed. It will make a small blue book. Whether it is desirable to put the country to such an expense for what I suppose is a matter of curiosity, I leave it to him to say.

Now that was the answer given to them by the hon. leader of the House. That is all very well, but I am not accustomed to be shut off in that way when exception is taken to such a demand; and I therefore rose in my place and spoke to the leader of the House in this way:—

> We may be influenced by what the hon. Postmaster-General calls "curiosity," but I say we are

moved by a sense of justice towards the different nationalities of this Dominion. * * * Under the circumstances it is almost too much for the hon. Postmaster-General to insinuate that in asking for this information we are actuated by curiosity. We, of Quebec, who have been accustomed to doing justice to the English-speaking minority of our province, feel it hard to be met as the hon. member for De Salaberry has been met to-day by the hon. Postmaster-General, with an insinuation which should not have fallen from his lips. * * * I hope the Government will consent to this address. If we are in error on this subject, we should know it; if not, the Government should have their attention directed to the injustice of which we complain, and grant us the redress which we seek.

To this Sir Alexander Campbell replied:—

I fear after the remarks which have fallen from the hon. gentleman from De Lanaudière and the hon. gentleman from De Salaberry, that more evil would result from withholding the information than from granting the address. I may inform my hon. friend behind me (Mr. Bellerose) that I did not use the word "curiosity" in any such sense as he has supposed. * * * I do not think that such injustice exists; I hope it does not exist, but perhaps it is as well to let the address go; if the House does not grant the motion it may be supposed that the Government has something to conceal, or that they are conscious there is an injustice done in some cases. * * * We shall allow the motion to go, although it will cost a great deal of money to obtain the information that is asked for.

This is the way we were treated when we asked for an address in 1881. We knew very well that it was expensive, but we intimated that we should have it in some way or other. It took two years and a half to get the information. Every session we called for the report, and there was none furnished. They said: you will get it by and by; and we got it by and by, after two years and a half. And what occurred? In February, 1884, the Postmaster-General, the leader of the House, Sir Alexander Campbell, rose in his place and made the following statement: "I bring the return to the address voted by the House," and turning towards me he said: "The hon. gentleman will see the French minority have more than their share of the public patronage." I could not say a word. It was a printed volume of 250 or 300 pages, all figures without being added up. I saw at once that the Government had made the return in this manner so as to evade the question. I had no time then to add all those columns, so I remained silent; but the same night I went to work adding those figures, and what did I find? I will read to you my statement the next day, the 19th February, of what I found:

The Hon. Minister of Justice in his remarks, on answering my speech on the right of the French minority in this Dominion to have a Senator of their own origin on the Treasury benches was pleased to state that the French minority had no reason to complain; that if they had not a Minister of French origin in this House, they had more than their share in the public service of the Dominion. He referred to the report in answer to an address of the Senate in 1882, which report was placed on the table of this House some few days ago.

Now, the hon. leader of the Senate, having made this statement from his seat in this House, I was bound to accept his word. Though I was convinced that this statement of his was not in accord with the facts. Yet I was bound not to contradict him before I had a chance of looking into the matter and comparing his statement with the official return. This I have done, and what do I find? Not only has the French minority not received at the hands of the English majority a fair share of the public patronage, but on the contrary they have not even received such a share as, though not in proportion to their numbers, would even show a disposition on the part of the majority to recognize the rights of the minority.

I went on to state:

Taking the official report referred to by the hon. minister I find that the number of officials in the whole Dominion is 3,530 of whom only 627 speak the French language, or in other words a proportion of about six to one; that the amount of salaries paid to them is $2,136,005, of which $456,803 is the aggregate amount of the salaries of the French-speaking officials, also a proportion of six to one.

Now, if I open the census of 1881, I find that the population of the Dominion is 4,324,801 souls, of which 1,298,929 are of French origin, leaving a population of 3,025,871 of other origin.

So that while the French are about one-third of the whole population of the Dominion, the officials of French origin are only one-sixth of the whole Government staff in Canada, and the salaries of the French-speaking fraction form only one-sixth of the amount of the salaries paid to the whole of the Government officials.

Sir Alexander Campbell says:

In referring the other day to the return which had been laid on the table of this House, I did so, not having seen any synopsis of it, and not being aware that any synopsis had been made. I spoke, however, on the authority of a person who had examined the return, and who informed me that the French-Canadian race were abundantly represented in the service of the country. Under the impression that that was correct, I used the language which the hon. gentleman has quoted.

He had to withdraw his statement when I proved to him, after three whole nights of adding figures, that he had deliberately misled the House. We are accustomed to being treated in this manner by the majority, but while such treatment is extended to us there is one representative of the French race here who is determined to do his duty. I may have to ask in vain for justice for years, but until the day of my death I will continue to demand fair treatment for those whom I represent. A man who has not the courage to vindicate his rights and privileges does not deserve to live. I have hesitated a good deal about bringing up this matter, because I knew how I would be received, but having right on my side I feel the strength of my position. We heard the arguments advanced the other day in the discussion which arose about the Montreal Custom-house—we were told that the French employees in the Senate and the House of Commons were more numerous than the English officials. That is no argument in reply to a general statement. There are 7,000 officials in this country and we have not our fair share of appointments. It is not fair to take the Senate and House of Commons, and point to them as illustrations of the share of patronage that the French receive in Canada. The public documents show that there is about an equal number of French and English officials in the two Houses of Parliament. Another argument brought forward and published in our Debates last week is that, taking all the Catholic officials, about half the number of Government employees are Roman Catholics. I have yet to learn that any one has complained that the Catholic population have not their fair share of the public patronage. Was it honest, therefore, when I was complaining of the unjust treatment of my nationality to say in reply "but the Catholics have a fair share of public patronage." Let us discuss the question of nationality, and that alone. The present member from De Salaberry (Mr. Tassé) suggested the other day that I should have brought up the whole question instead of a special case to show that throughout the public service the French minority are unfairly treated. I did not deal with the whole question, because I was afraid I would be told, as I was told 12 years ago, that it would be incurring a great and unnecessary expense. The report would be undoubtedly voluminous, and we thought it was unnecessary, since the situation has not changed much in 12 years. But let us look at the returns for the custom-house at Montreal. Exception was taken the other day to my figures by the Minister of Trade and Commerce, but I find that I was not mistaken. I have procured from the Department of Agriculture statistics which show that of the entire population in the electoral division of Montreal, about 100,000 are French and 82,000 of other nationalities. In a city of 182,695 people, there are ten French to eight English-speaking citizens and yet we have only one-third of the patronage in the Custom-house and it is rumoured that a new collector is to be appointed who will be of English origin. Now is the time and here is the place, to demand justice for the French of Montreal. In the city of Montreal there are 766 officials of the Dominion Government. Of these, 416 are English-speaking and 350 French-speaking. There is the same disproportion in the salaries. The total of the salaries paid is $393,000. Of this amount the English-speaking officials receive $218,000, and the French-speaking officials, $160,000. That was last year. The returns for this year are not yet published, and I cannot speak of them. Since I referred to this matter a few days ago, the press of Montreal has taken up the question. The *Gazette* and the *Witness* have dealt with it, and they cannot deny the truth of my statement, but that beautiful newspaper, the *Witness*, replies that the Catholic population of Montreal have their full share. That is no reply to my argument. My motion to-day refers to the custom-house at Quebec. Every one knows that Quebec is a French city—that there are very few of its citizens of any other race—yet the Collector of Customs is an English-speaking official. There are thirty-four permanent officials, of whom sixteen are English and eighteen French. There are sixty-three temporary officials altogether, of whom thirty-four are English and twenty-nine French. Altogether, there are fifty English-speaking officials in Quebec, and forty-seven officials of French origin—that is, a minority of French officials in a city which is almost exclusively French. I defy any one in this House to say that under such circumstances I have no reason to complain. We hear complaints in this House almost every day on matters of very much less importance than this. In a family, when one of the children sees that the parents are partial to other members of the family, it produces uneasiness and bitterness of spirit. In dealing with communities, there is the same result from partial and unjust treatment. Does any one suppose that Quebec would have so readily consented to the union of the provinces if we had known that we would be treated with such unvarying injustice when we became a minority in the Confederation? No, we never expected that; on the contrary, we thought that the majority here would do with us as we do with the minority in Quebec. We believe that the majority ought to be magnanimous and give the minority even more than their share; and why? Because the majority may say, "we do not care; we may give you more, but if you are not quiet we are more powerful than you and we will quiet you down." I say that any man who has a heart in his bosom, and who recognizes the privileges and rights of the minority, must feel that this is the proper course. Now let us look at the salaries in Quebec. The salaries amount to $25,016, out of which $12,800 is paid to Englishmen, and $13,116 to Frenchmen. The salaries of temporary officials amount to $30,279. The amount paid to Englishmen is $19,750, as against $15,000 to Frenchmen. I have shown conclusively the determination of the Government in the matter even to this day. The hon. Minister of Trade and Commerce said there had been a change for the better; I do not see much change. We will be able to tell better next year. Not long ago a deputy head who was over sixty, resigned or was forced to resign; at all events, he was a Frenchman. Who replaced him? An Englishman. Now is that fair?

Hon. Mr. BOWELL—Where is that? There are so many vacancies now it is hard to tell what the hon. gentleman refers to.

Hon. Mr. BELLEROSE—Mr. Schreiber is there now. And there are very many other cases. That is the reason why I am referring to this matter to-day. I wish to refresh your memories with reference to that matter. I know the hon. Minister has done something in that department which is to our advantage, and I know that it is reasonable. No man in this world can enter a new department and put things right at once. He cannot turn out officials; he must wait until there is a place vacant, and then he may do justice. That I know very well, but, hon. gentlemen, we have been complaining, and we must complain if we expect to produce any change. Now, I am referring to these facts to show you that wherever we go we find the same. Let us take Sherbrooke. Of the population of that city about 5,000 are English-speaking to 7,000 French-speaking, and how is it there? The first two officers in the Customs-house are English with large salaries. There are five officials altogether—three English and two French. The salaries are $3,241, of which $2,600 is paid to Englishmen and $641 to Frenchmen, making a difference of one to three against the Frenchmen. Now, let me refer to Montreal again on that subject—speaking of the head men. In Montreal, as the hon. Minister of Trade and Commerce admitted the other day, since Mr. Delisle there have been two Collectors of Customs—Mr. Simpson and Mr. Ryan. The latter is dead. Who will succeed him? I do not know. I have heard rumours, but I will not repeat them. If the Government have ever thought of giving justice to us, is not this the time, when there is a place in Montreal for a new appointment, particularly when it is known that the French are in the majority in Montreal. If the hon. Minister of Trade and Commerce was sincere in the words he uttered the other day, surely he cannot overlook the rights of the French population of Montreal when making this appointment. It is well known that the English members will go down to the French population in Montreal making promises and asking to be elected, and when elected they forget their promises. In Montreal not only has the Collector of Customs been an Englishman, but for years past the sub-collectors have all been Englishmen, and it is the case to-day. Now, is that right? I say no. In Quebec Mr. Forsyth is English, and there is a majority of English officials. In Sherbrooke how does it stand? The same as in Montreal. Mr. Perry is the collector, and Mr. Murphy the sub-collector, Does not that show a settled policy? Does not it show that we do not speak too often on the question—that we do not speak often enough to secure our rights? We try to find these things out, and we have a right to know them, when we have to pay our share of the expenses of the Government. Who is in a better position to discuss these questions than I am? Am I not independent of the Government? I know there are not many in this Dominion who are quite independent of Governments; but I am quite independent; and I am not poor enough to ask for their bread. I am in a position to ask redress for others—to demand that every man receive his rights from the Government, and this I intend to do. That is my principle; and I hope that I will live long enough to defend it. Now, hon. gentlemen, look a little further into this matter, as far as Montreal is concerned. I will show you something else. If you look at the state of things in Montreal, you will find again that the heads of the great majority of the departments there are English. You have the superintendent of Canals, Mr. Kennedy; you have the collector, J. O'Neil; you have had collector of Customs Ryan, who is dead; you have sub-collector O'Hara; you have the deputy-postmaster Palmer, Post Office inspector, King; you have the sub-inspector Nelligan; you have gas inspector Hart; you have the chief immigration agent Hoolahan, and the sub-agent Nicholl, receiving salaries amounting to $19,311 in all. These are all Englishmen at the heads of departments. Then let us look at the number of French speaking heads; you have Postmaster Dansereau; Excise collector Vincent; Inspectors of Excise Chalut and Bellemare; assistant-inspector of gas Aubin, with salaries amounting to $11,300 in all. There are about ten English to five French heads in the city of Montreal. If I could keep you here until to-night I could show you that in all the departments it is as bad, or worse. I could take you into certain departments in Ottawa, and defy you to find half a dozen French-speaking servants.

Hon. Mr. CLEMOW—In the Public Works Department?

Hon. Mr. BELLEROSE—No. What is the proportion?

Hon. Mr. CLEMOW—I do not know.

Hon. Mr. BELLEROSE—Since the hon. gentleman has asked the question he should understand what he is speaking of. True, you have a fair proportion of French-speaking men in that department, and why? Because for over twenty-five years a French Minister has been there—in fact, almost always the head of the department has been French. This shows that we have been actuated by a spirit of justice and liberality. The French have been honest enough to give you a fair share where they have had the power, and we ask nothing more of the Englishmen, Scotchmen, or Irishmen who are at the head of other departments; and yet we are met with such arguments as I heard here the other day—not arguments, but mere assertions. If I were out of this House I would qualify them, but here I would not. I stand by the opinion expressed by an hon. gentleman the other day, which I repeat, that we should never hear those questions discussed in this House.

Hon. Mr. KAULBACH—Hear, hear.

Hon. Mr. BELLEROSE—These hon. members crying "hear, hear," are just the guilty parties. Not long ago a judge of the Superior Court of Quebec died, and whom did the French ask for as a new judge? Judge Johnson. Why? Because he was one of the oldest judges, and because it was right that a judge of that nationality should be on the bench. That is the way we act in our province, and so you never hear of such a question in Quebec; and have we not a right to ask to be treated here as we treat others there? Have we not a right to go to the book, which you respect so much, on the table before us, which says you should do to others as you would like to have them do to you? We ask no more; just give us fair treatment and you will hear no more of those complaints. If you hear more about this question next year, you may strike your breast and say, "By my fault, by my greatest fault." We do not like to raise the question, but we are compelled to do it. Let me refer to the Experimental Farm, which is now under the superintendence of the Mini- of Agriculture. How are we treated there? How many French-speaking gentlemen do we find there? One to 60 or 70, or perhaps 50. I am aware that there is a man there, coming from what part of the world I do not know, who translates English into French. I do not know his name, but he is the only French-speaking official there, though I have asked and urged as much as I could to have another man there. I have recommended for increase of salary one who bears an Irish name but speaks the French language. I do not care for the name if they would only increase his salary; but though he translates, and speaks both languages, he only receives the pay of a labourer

I defy any gentleman in this House to say that we are fairly treated at the Experimental Farm. It is when we protest against that state of things that some gentlemen have the courage to rise up and say, "Oh, do not speak of that; suffer patiently." Well, gentlemen, when I receive injuries from any one of you I may suffer; I am at liberty to suffer personally, but as a representative of the people I am not at liberty to allow those whom I represent to be injured. It is a part of my duty to defend them, to ask that they be treated according to what is just and right, and it is on that account that I make this motion. I would consider that I was stealing from the public treasury were I to remain quiet and not endeavour to protect those whom I am in duty bound to defend. More than anything else, I want to do my duty, and this is a part of my duty, which I will do, and I hope the Government will try to remedy the injustice of which I have complained. I wish it to be understood that I know very well that this cannot be done to-day, or this year; I know very well it cannot be remedied in two years, but I ask that the proper remedy be applied in due course of time, and that every year, when occasion arises, we may congratulate the Government and say, "Well, you have not done all, but you have done everything you could do," and that will be quite sufficient, at all events as far as I am concerned.

The motion was agreed to.

DOMINION OFFICIALS IN QUEBEC AND MONTREAL.

MOTION.

Hon. Mr. BELLEROSE moved

> That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will be pleased to cause to be laid before this House, a list giving the names and salaries of all persons employed, whether as Heads of Departments, Assistant Heads of Departments, Superintendents, Inspectors, Collectors, Agents, &c., in the various public departments in the Cities of Quebec and Montreal, under the Government of Canada, with a statement of the age, nationality, religion, occupation, and date of entering the public service, of each such person, with the date of all changes and promotions among such persons.

He said: I have nothing to say on this motion, because I thought I might save time by speaking on the two motions at the outset, and I referred to this matter at the end of my remarks, showing how matters stood in Montreal as to the heads and deputy heads.

Hon. Mr. DRUMMOND—Before this motion is adopted I desire to say a word or two on the subject. The hon. gentleman has forestalled, to some extent, the return which he has moved for, inasmuch as he assumes it to be the case that injustice has been done to his confrères in the appointment of civil servants of the Crown in the department to which his motion refers. I am not prepared to oppose the motion, nor am I prepared to admit that injustice has been done, in advance of the returns, but I say this, having in my personal experience laid down as a rule rigidly to be followed that no question of nationality or religion can be admitted by me to be either a bar or a cause for promotion in either my associates or my servants in any department whatever, I am therefore able to speak with absolute dispassionateness on this subject. I say that it is a dangerous principle to allow any gentleman to lay down as an absolute rule for fitness for the public service that a man shall profess any particular religion, or be of any nationality. I would suggest another matter to be considered by the Government in appointing a civil servant. Take for example the Custom-houses in Quebec and Montreal. If I gathered correctly from the speech of the hon. gentleman who has made this motion, he would have the rule of three carried out rigidly in the appointment of civil servants in the Custom-houses in those cities. Now I will give him another test which, in my opinion, could be more fitly and properly applied in both those cases. Let him take the amount of business done at the custom-houses at both ports. You may discriminate between those who bring their business to the port and the business conducted in the custom-houses in those two ports, and allot to the nationality, if he will, and the religion—although I think it is a most reprehensible principle—in appointing officials for the custom-house service, making appointments in due proportion to the nationalities of the persons who do business in those offices. I say it is a better test than the other. For my part I would deprecate the introduction of such questions either one way or the other, but I do say, if the question of nationality is to enter into the matter at all, the test I have suggested is a more fit and proper one to apply, namely, that the servants who do business in the custom-houses should bear some relation to the people who enter the custom-houses to do business—than to decide upon a vague question of population in either of the cities. I will not oppose the motion if the leader of the House sees fit to grant it, but I deprecate the application of any such rigid system to the selection of public officials, and I feel it my duty to state in advance those objections.

Hon. Mr. BELLEROSE—I am very happy that I have made out so good a case that a man so clever as the hon. member from Montreal could not answer it, and that he had to put into my mouth arguments which I never used. I never said that in each department we ought to have a fair share, but I said that in all the departments of the Dominion taken together, there ought to be places for our nationality ; and suppose we are not fit for one department, we may be better fit for others ; but I showed that in the whole of the Dominion we have not half our share, and I merely referred to Montreal as a special case. The hon. gentleman speaks of a better test. Well, I know something about the Custom-house officials at Montreal, as well as the hon. gentleman, and if ever Montreal had a good collector it was a Frenchman, Mr. Delisle. I defy him to say to the contrary. Will he say that the late collector was a good one ? I say no, and I can give him evidence in support of my statement. I would not have said that if I had not been forced to do so. When I make an argument or statement I am prepared to stand by it. I have done more than that : I have charged members of the Government in this House with having foresworn their oaths, and I would not withdraw the statement. Before I make a statement I know what I am about, and anything I state I stand by. I never admitted that there were not other qualifications than nationality. Indeed, I may be better fitted myself to be a soldier than a senator—what has that to do with the thing ? It is the views of my people who put me here, and probably fear on the part of the Government.

Hon. Mr. ANGERS—Oh, no.

Hon. Mr. BELLEROSE—I know what brought me here. I know the circumstances. It is that I could not, by any possible means, be taken out of the House of Commons, and if you want me to go through the whole affair I am ready. I have a whole pamphlet written on the subject, but—-

Hon. Mr. POWER—Dispense !

Hon. Mr. BELLEROSE—When I make a statement I am prepared to stand by it. The hon. gentleman says the danger of applying this principle that I advocate is that it may result in making bad appointments. But the present system does not always prevent that. I may name now a gentleman in the civil service who can hardly read and write, but who has a salary of $3,000 to $4,000 just to protect him as a supporter of the Government. Was the proper qualification asked from this gentleman? He has to write letters for the Government every day, and he has to get them written by his secretary. Having always stood by the Conservative party I do not care to come out with all that I know, but if I am forced to it by some one coming in my way, I am ready ; I may be forced to defend myself. I have no reproach to make against the Minister of Agriculture or the Minister of Trade and Commerce—they have only recently become heads of their departments and have not had time to make a change. I do not bring these matters up in a hostile spirit—I do it as a friend of the Government, because I know if they were to pursue the course followed in the past it would injure them, and as they have begun right I would like to see them continue to do justice to every one and allow every patriotic man to stand by them.

Hon. Mr. ANGERS—I did not intend to speak upon this motion—I thought it was one the House would allow to go through without any comment,—but it is my duty to declare now that the Government has not the slightest objection to bring down all the information that the hon. gentleman wants. I hold the principle that as far as possible we are to live in harmony, and that while a fair distribution of patronage should be made to everybody, the best test for it is qualification. Now, some allusion has been made to the displacement of the head of a department here, which is a very considerable one. This gentleman was a Frenchman, but I believe that the next after him in capacity was duly appointed to fill his place. There may be others as well qualified (but they are not known to me) as Mr. Schreiber to take Mr. Trudeau's place.

Hon. Mr. BELLEROSE—There were none better.

Hon. Mr. ANGERS—And the time may come when a leading English official in some other department will go, and we may have a Frenchman to take his place just as good as the Englishman going out; if so, we will appoint him.

Hon. Mr. BOWELL—It was so in the Secretary of State Department.

Hon. Mr. ANGERS—As to the statement that the hon. gentleman was brought into this House by fear on the part of the Government, I do not believe that; and when I wished to contradict him upon that point, I intended to pay him a compliment. He was brought here because of his fitness.

Hon. Mr. BELLEROSE—I do not believe it.

Hon. Mr. ANGERS—I am convinced of it. The hon. gentleman was brought here because he was the most competent man for the position, and when he was removed from the Local Legislature he made his own choice, and I expect that when he was elevated from the House of Commons to the Senate it was according to his own choice, also, and I may say, to the choice of His Excellency, the then Governor-General, and the country. Now, I do not contradict the hon. gentleman to be at all disagreeable to him, but as he is anxious to do his countrymen at large so much justice, he should do a little to himself. A question of this kind, if it is to be discussed at all, should be dealt with in a spirit of moderation, and with great care. Words that gentlemen utter here may be misconstrued elsewhere, and people with small grievances may fancy that they are much larger than they really are. I think, therefore, that whenever such a question is brought up again, it should be handled with a great deal of care and considerable moderation. It is the intention of the Government to deal fairly with everybody, and for the benefit of the Crown to secure the best possible public officers without distinction of religion, and as far as possible to make a fair distribution of patronage between the different nationalities in the Dominion. Some reference was made to the Collector of Customs in Quebec. Now, I think it is right that I should say here that Mr. Forsyth was appointed on the special recommendation of my own countrymen.

Hon. Mr. BELLEROSE—Does not that show how liberal we are?

Hon. Mr. ANGERS—I do not deny that we are liberal, but I say he was a man of our own choice, and he was a proper man to appoint.

Hon. Mr. BELLEROSE—Yes.

Hon. Mr. ANGERS—Had there been a better one we would have taken the best. As to the Experimental Farm, the hon. gentleman stated that the population of Ottawa was about equally divided. Now I must correct him.

Hon. Mr. BELLEROSE—I said that though there was a minority of French in this community, at the Experimental Farm there ought to be certain number of officials of French origin, because when we go there now we are forced to speak English because there are no employees at the farm who understand French. That was in reply to the argument that in the Senate and in the House of Commons the nationalities were about equally divided.

Hon. Mr. ANGERS—The farm is for the whole Dominion; it is not merely for Quebec and Ontario, but it is for the whole confederation, and of the business carried on there, I must acknowledge that the greater part of it is conducted with English-speaking people. I am glad to see that the people of the province of Quebec every day are taking greater advantage of the Experimental Farm than they have previously done. Every day the amount of information required from the province of Quebec is increasing and if the French officials who are now employed there are incapable of keeping up with the amount of work required of them, it is the intention of the Government to supplement them and give additional assistance. I think one or two clerks able to attend to the French correspondence will be needed from the increasing applications from Quebec, but at the start I am very sorry to say the province of Quebec did not take a sufficient interest in the Experimental Farm. The people did not apply for the information that we would gladly have supplied to them, but I am glad to see now that they are improving in that respect and making a better use of the farm.

Hon. Mr. BELLEROSE—I may tell the hon. gentleman that I have myself many times, in the province of Quebec, stated that those bulletins that are issued were at the beginning only printed in English, so in Quebec our people did not have an opportunity of reading them and knew very little about the farm.

Hon. Mr. BOWELL—I should not have added anything to the remarks of my hon. colleague, had it not been for a statement made by the hon. gentleman who has moved this resolution. I should be remiss in my duty to a departed personal and political friend, although neither of my nationality nor of my religion, were I to allow the charge to be made as I understood the hon. gentleman—I hope I was in error—that he was not a good officer and could scarcely read or write.

Hon. Mr. BELLEROSE—I never said that.

Hon. Mr. BOWELL—I confess I do not know what the rules of this Senate are, but it does seem to me—this is a little digression—that an hon. member should not be permitted to rise half a dozen times unless it be to put himself right. If we should continue this free and easy style, I must say we will soon get into a state of chaos, rather than maintain a calm, cool, deliberative spirit. I understood the hon. gentleman to say—and I should be very glad to be corrected if I am mistaken—that Mr. Delisle was one of the best customs collectors that ever was in the city of Montreal. I do not demur to that statement for the best of reasons. I knew nothing of him except from a very slight personal acquaintance. I knew nothing of of Mr. Delisle in his official capacity. He had left the service—if my recollection serves me right he was dead before I entered it. But when the hon. gentleman says that Mr. Ryan was not a good officer, I can tell him that there never has been an officer appointed by the Government of Canada to occupy the responsible position that Mr. Ryan held in the City of Montreal, who received greater praise or a greater number of encomiums from those who, like my hon. friend from Montreal, had to come in contact with him, for his efficiency in the discharge of his duties. The hon. gentleman spoke of some one, and if he did not mean Mr. Ryan, I should like to know whom he did mean.

Hon. Mr. BELLEROSE—I did not mean Mr. Ryan, but as the hon. gentleman does not wish to be interrupted, let him go on.

Hon. Mr. BOWELL—He said there was a gentleman appointed to office who was receiving $4,000 per annum, who could scarcely read or write, and that he had to hire a clerk to do his correspondence. I admit Mr. Ryan had a clerk to do his correspondence, and if the hon. gentleman does not know, he ought to know, that there is not a collector in the whole Dominion of Canada at the head of an important port who is not obliged to have a secretary or a clerk to do his correspondence. Take a port like Montreal, collecting as it has done for a number of years past from $7,000,000 to $8,000,000 and $9,000,000 per annum. The collector has to come in contact with and discuss questions affecting the tariff, the law, importations, exportations, and frauds which are committed, with almost every merchant in that whole city. To expect that he could do the whole correspondence would be an utter absurdity, and a reflection upon the good sense of any man who knows anything about it. I can tell the hon. gentleman, Mr. Ryan occupied as prominent a position in the city of Montreal as any man in it. He received the honour, at the hands of the largest division in the city of Montreal, of being elected by a very large majority to represent them in the House of Commons. I never recommended to His Excellency for appointment to a responsible and lucrative position with greater pleasure any gentleman than I did Mr. Ryan of Montreal, and my experience of him during the time he was collector was that he was one of the most efficient men in the employ of the Government, because he had common sense and the practical, commercial knowledge required by a man to discharge the duties of that particular office. I make this statement in justice to the memory of one for whom I had personally great respect, and I do not wish the House to think that because I speak a little earnestly I am at all annoyed. Perhaps, like my hon. friend, when I rise to express my views I do it with a little earnestness. I do not think, either, that the remarks of the hon. gentleman from Kennebec justified the reply made by the hon. gentleman who moved the motion. The remarks made by the hon. gentleman for Kennebec were of that courteous gentlemanly style which always characterizes the hon. gentleman, no matter in what sphere we meet him; and certainly the House will admit that he had as good a right as the hon. member to express his views as to what shall constitute a man's qualifications, and, if the question of nationality is to be discussed, that he had as good a right to point out any mode by which the comparison should be made as my hon. friend who moved the motion. In doing that I do not see what necessity there was for referring to past debate, or past discussion in this House, or to past statements which the hon. member for DeLanaudière made in this House accusing some member of the Government of having violated his oath. I am very sorry if any occasion has ever arisen to justify a remark of that kind. If it were justifiable, or if it were true, I would not be the one to say that he should have to withdraw it; but let me hope that the time has gone by when such an assertion can be made, and that he will not have it to say of the gentlemen who occupy positions in the Government to-day. I do not complain that he has made the motion—I have not objected to it, because I thought that he would have regarded any objection as an evidence that the Government wish to hide their transactions in connection with appointments to office. We discussed this question before, and a moment's reflection, I think, will show the hon. gentleman that he was scarcely fair in again referring to it after the statement I made in reference to Sherbrooke. I refer to the appointment of Mr. Perry; that was before the Government of Sir John Macdonald came into power. The same remark applies with respect to the second officer to whom he referred. They were appointed at a time when the population of the city of Sherbrooke was almost exclusively English; the building up of the manufacturing industries has been the cause of the influx of a large French population. I am very glad to know that, because it has furnished employment in the country, instead of forcing these people to go abroad. Now, as to the justice which the hon. gentleman asks should be done in the town of Sherbrooke, does he propose, since the French population is at the present moment in a majority, to turn out those who have been in office for years?

Hon. Mr. BELLEROSE—Oh, no.

Hon. Mr. BOWELL—Every one knows that under our system of administering the affairs of this country, if an officer be once appointed to any position, he holds that position during good behaviour.

Hon. Mr. BELLEROSE—Hear, hear.

Hon. Mr. BOWELL—We have not yet introduced the vicious system of turning out people exclusively on the ground of their political views or of their nationality. In calling the attention of the House to the fact that upon the superannuation of Mr. Trudeau, Mr. Schreiber, an Englishman, succeeded to the position, it would have been but fair had the hon. gentleman explained that the principal object in making the change was to reduce the expenditure of that department—that the work formerly done in the city of Ottawa had been transferred to Moncton. The whole management of the Intercolonial has been transferred to that town, and that necessarily involved a rearrangement of the office here. In that rearrangement, Mr. Trudeau was superannuated. In my little experience of him, a more faithful officer, or a more courteous gentleman I never met. Mr. Schreiber succeeded him. Now, I never heard an Engglish-speaking gentleman find the slightest fault, no matter what his political complexion may have been, when Mr. Grant Powell, Under Secretary of State, was superannuated and a French gentleman, Mr. Catellier, was promoted to his place. He was the next in seniority, and was entitled to it by reason of his long service and his ability. When it was proposed that he should be promoted, there was not a man in the Cabinet who was not gratified to know that such an old faithful servant had an opportunity of being promoted to the highest position in his department. That is the principle upon which the Government has acted, and it is the principle upon which, as long as it exists, they will continue to act. I could name a dozen heads of the different departments in the city of Montreal who are French gentlemen. I do not say they got their positions because they were French ; they got them for the reasons indicated by my colleague, the hon. Minister of Agriculture, because the Government believed they were entitled to them either by promotion or for services which they had rendered. I apologize to the House for having occupied their time with this matter, but I could not listen silently to what I considered to be a very grave reflection upon an old and estimable friend, and particularly one who was revered by the merchants of Montreal, who were constantly complimenting him on the courteous manner in which he performed his duties in that city.

The motion was agreed to.

THE PRINTING BUREAU.

EXPLANATION.

Hon. Mr. BOWELL—In the Senate yesterday the hon. gentleman from Barrie called attention to some delay in the printing of the proceedings of the Divorce Committee, and the omission of an important exhibit from one of the records in the Hebden case. I have made inquiry, and the Queen's Printer has furnished me with an explanation, which I will read to the House :—

Dept. of Public Printing and Stationery,
Office of the Queen's Printer
and Controller of Stationery,
Ottawa, 8th March, 1893.

Memorandum for the Honourable Mr. Bowell.

With regard to the printing of the two divorce cases concerning which you made inquiry, I have the honour to report as follows :—

The manuscript for the Hebden divorce case came down to the Bureau in the afternoon of March the 3rd, and was opened and placed upon the desk of the foreman under a weight without special examination. Three hours after, at 7 o'clock in the evening, the night foreman came on and took up the manuscript to put the work in hand. He noticed that the page 36, containing Exhibit 6, was missing. That fact did not strike him as at all unusual, because a very large number of manuscripts that come to the Bureau are imperfect, particularly in the case of exhibits. These are frequently kept back, not being quite ready, and are inserted in the galley proofs. I send herewith the declarations of the two men who saw the manuscript. They are both confident that that leaf of the manuscript was missing.

With regard to the delay in the Heward case, I find that through the large lock-up of type at present existing in the Bureau, sorts of italic ran out, and that the letter "M" was turned upon the second form, and that therefore the second form waited until the first form was worked off. There was, however, an unwarrantable delay in this which even under these circumstances might have been sent up by noon instead of four o'clock of the 7th. I do not think that the foreman of the room has a valid excuse for that delay.

I would add that neither I nor the superintendent of printing heard of any trouble in relation to these two cases until last evening after it had been spoken of in the Senate. I think that had either Mr. McMahon or myself been called to the telephone or had any communication been addressed to either of us the trouble which arose might have been prevented. There were telephone messages through the day about the delay in the Heward case, but no rumour of any difficulty was reported to us, and it happened that in each instance one of the clerks answered the telephone and communicated with the foreman.

S. DAWSON,
Queen's Printer and Controller of Stationery.

Dept. of Public Printing and Stationery,
Office of the Queen's Printer
and Controller of Stationery,
Ottawa, 8th March, 1893.

I, E. Carter, sub-foreman at the Printing Bureau, declare that I received the copy of the Hebden divorce case in the afternoon of March 3rd, and laid it under a weight on my desk for the night foreman to go on with. I did not examine the copy.

E. CARTER,
Sub-foreman.

I, D. Tassé, night foreman of the Printing Bureau, declare that I took up the copy of the Hebden divorce case off the desk at 7 p.m.—when I came on, and that I examined the copy, and declare that page 36 containing Exhibit 6 was missing.

I further state that in the manuscript received at the Bureau, it is commonly the case that exhibits are withheld to be inserted in the galley proofs, and that on noticing the absence of this exhibit, I supposed that it was so withheld.

D. TASSÉ,
Foreman.

Dept. of Public Printing and Stationery,
Office of the Queen's Printer
and Controller of Stationery,
Ottawa, 8th March, 1893.

Dear Mr. Bowell,—I send you herewith a memorandum in relation to the matters brought up by Senator Gowan. I have not seen the report, but I have ascertained the subject of the complaint from Mr. Stephens of the Senate staff.

Yours truly,
S. DAWSON,
Queen's Printer and Controller of Stationery.

The Hon. M. Bowell,
Minister of Trade and Commerce.

I hope the explanation is satisfactory to the hon. gentleman.

ST. LAWRENCE AND ADIRONDACK RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. McMILLAN moved the second reading of Bill (14) "An Act respecting the St. Lawrence and Adirondack Railway Company."

He said:—The object of this Bill is to authorize this company to lease their road to the Central Vermont Railway Company, or the Ogdensburgh and Lake Champlain Railway Company. It is almost word for word the old Bill.

The motion was agreed to.

MANITOBA AND SOUTH-EASTERN RAILWAY CO.'S BILL.

SECOND READING.

Hon. Mr. BERNIER moved the second reading of Bill (44) "An Act respecting the Manitoba and South-Eastern Railway Company."

He said:—The object of this Bill is merely to enlarge the time for constructing the first thirty miles of the railway. The time was originally the 1st of November, 1893, and the Bill is to extend the time to the 1st of July, 1895.

The motion was agreed to.

MANITOBA AND NORTH-WESTERN RAILWAY CO.'S BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (L) "An Act to consolidate and amend certain Acts relating to the Manitoba and North-western Railway Company of Canada."

He said:—The object of the Bill is to consolidate the various Acts of this company which extend over a period of ten years. There is no material change except in reference to the extension of the time for building a certain section of the road, and that will be discussed in the Committee, I suppose, when it comes up.

The motion was agreed to.

Hon. Mr. LOUGHEED. In respect to this same Bill I also move that Rule 61 be dispensed with. The rule provides that a certain time shall intervene between the second reading of a Bill and its submission to the Committee: There are certain gentlemen from Montreal and Toronto who desire to appear before the Committee to explain the objects of the Bill, and doubtless the House will suspend the rule to permit them to appear before the Committee and not lose their time in Ottawa.

The motion was agreed to.

BILLS INTRODUCED

Bill (N) "An Act respecting the Senate." (Mr. Angers.)

Bill (13) "An Act to give effect to the agreement between the Grand Trunk Railway Company, Canadian Pacific Railway Company and the Corporation of the city of Toronto." (Mr. MacInnes, Burlington.)

Bill (55) "An Act respecting the Lake Erie and Detroit River Railway Company." (Mr. Casgrain.)

Bill (57) "An Act to amend the Act to incorporate the Montreal and Atlantic Railway Company."(Mr. MacInnes, Burlington.)

Bill (33) "An Act to incorporate the Manufacturers' Accident Insurance Company, and to change its name to the Manufacturers' Guarantee and Accident Insurance Company."—(Mr. McKindsey.)

Bill (42) "An Act to amend the Act to readjust the representation of the House of Commons."—(Mr. Bowell.)

CENSUS RETURNS.

INQUIRY.

Hon. Mr. WARK—I would like to ask the hon. Minister of Agriculture when we may expect the first volume of the Census Returns?

Hon. Mr. ANGERS—I believe the first volume will be ready in a few days. The last proof sheets of the preface have been approved, and I believe that the whole work is now in the hands of the Queen's Printer. I have no doubt that it will be ready for distribution in a week.

The Senate adjourned at 5 p.m.

THE SENATE.

Ottawa, Thursday, March 9th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THE HEBDEN DIVORCE CASE.

THIRD READING.

Hon. Mr. GOWAN moved the adoption of the Report of the Divorce Committee *re* Bill (B) "An Act for the relief of Robert Young Hebden." He said :—I am glad that it is not necessary to further postpone this case. Owing to the interference of the leader of the House, the service of the Bureau has very much improved. In this case all the facts set forth in the preamble were fully proved to the entire satisfaction of every member of the committee. The offence charged was shown to have been committed, and there was nothing in the evidence suggesting collusion. At the same time, the applicant swore to these facts upon his oath —in a word the whole preamble was proved. One slight amendment was made in the Bill, merely to correct a typographical error.

The motion was agreed to.

Hon. Mr. CLEMOW moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time and passed.

THE HEWARD DIVORCE CASE.

THIRD READING.

Hon. Mr. GOWAN moved the adoption of the report of the Committee on Divorce *re* Bill (A) "An Act for the relief of Edmond Holyoake Heward."

He said :—This case in many respects is similar to the one the House has just passed upon. The evidence was full and complete, establishing every fact necessary and leaving in the minds of the Committee no doubt whatever that the claims of the petitioner as set forth in the preamble were fully and amply established. Certain amendments were made in the Bill to bring it into more complete unison with the evidence as to the time of the committing of the offence, and one clause with reference to the custody of the children was struck out—inasmuch as the law without any new enactment gave the custody of the children to the father.

Hon. Mr. BERNIER—I wish to offer some remarks upon this matter. I do not know if I am in order at present in doing so, but I desire to call the attention of the House to the evidence in this matter. I quite understand that there is an agreement here that those hon. gentlemen who do not wish to grant divorces are merely to protest in a mild way to save principles; still, I think, we shall not be reproved for offering remarks on the evidence on the judicial points. I think we are sitting here as a jury. The committee who have made investigations are in the position of a grand jury, and they report to us a true bill. We are sitting here as petit jurors, and the defendant in each case is supposed to be the accused party. I think the rule followed in courts of justice in trying indictable offences should be followed here, so the remarks I am offering are only on the ground of judicial views and in the interest of the community. I have gone over the evidence in this case, and to my mind, with all due deference to the views of the hon. gentlemen composing the committee, I respectfully submit that the evidence in that case would not warrant a verdict in any court of justice. In judicial circles this is known as an *ex parte* case. The defendant is not present and not represented, and in such cases we should require evidence which would leave no doubt at all in the mind of anybody. In going over the evidence what do we find? The petitioner himself does not charge his wife with anything. He does not prove anything himself. His evidence is only hearsay, which is not admissible in courts of justice. Now, the evidence of Vaughan and Pierce, to my mind, have absolutely no weight. The evidence of these gentlemen appears to be in some parts childish. There is another witness. It is the porter who was on the train which went from Montreal to Chicago, on board of which train it is supposed that the parties went to Detroit. That witness refers to a fact which, in itself, might raise a strong suspicion against those parties, I admit, but if you will go over the evidence carefully, I think that you will say with me that although there are strong suspicions against the parties, still there is room for doubt. I will go a little further and say that there is no evidence. The witness does not, to my mind, sufficiently identify the parties. I will not say he has seen the parties, because to my mind he cannot say that he has seen them—but he refers to certain parties who went from Montreal to Detroit on a certain date. He never saw those parties before and never saw them afterwards. He saw them only on this occasion amongst a thousand other people going from Montreal to Detroit, and still he comes here and what do we find? We find an identification of the parties merely based on photographs. Well, I do not know whether you are ready to put yourself, your wife and your family at the mercy of a porter on mere identification by photograph. Whatever your views on this matter may be, to my mind the evidence is not sufficient to show an identification. If such a case were put before a court of justice, a jury would find such a serious doubt as to the guilt of the party that they could not convict. Under these circumstances my only desire is to call your earnest attention to the evidence and suggest that perhaps it might be well that this matter should be postponed for a day or two.

Hon. Mr. McINNES (B.C.)—I am very much surprised that the hon. gentleman can place any such construction on the evidence adduced before the Committee. I think a plainer case has never come before a Divorce Committee for the last ten or twelve years. The woman herself in a letter admits her criminality with the co-respondent.

Hon. Mr. KAULBACH—No.

Hon. Mr. McINNES—If my recollection serves me right, she admits it.

Hon. Mr. KAULBACH—She says "I have wronged you."

Hon. Mr. McINNES—She did not make use, probably, of as plain language as would satisfy some hon. gentlemen, but there was only one inference to be drawn from the statements made in her letter to her husband. There is another point which the hon. gentleman who has just spoken has lost sight of—the evidence given by the gentleman who lived almost immediately opposite the residence of the petitioner. He states that this man Coursolle was in the habit of going continuously on Sundays, during church hours, to Heward's house and remaining there, knowing that the husband was away, until within a very short time of the church service being over. Then the evidence given by the porter, I think, was very pointed and convincing, inasmuch as this woman's husband bought her a ticket and secured a lower berth for her on the pullman car, and she was placed on board the train at Montreal, I think, by his uncle. A few miles out from Montreal, this gentleman, Coursolle, came on board the train. He had secured the drawing room of the car. As he entered she immediately abandoned her berth and took up her quarters with him in the drawing room, where she remained until the following afternoon at one or two o'clock, when they arrived at Detroit; and although both of them had secured their sleeping accommodations, one for a single lower berth and the other the drawing room, all the way to Chicago, yet they abandoned the train there and remained at Detroit. The relationship existing between the parties during this time, as described by the porter, I think, were most convincing evidence. His suspicions were aroused from the fact that she had secured sleeping accommodation in an ordinary berth and given it up to join this Capt. Coursolle in the drawing room. There are other circumstances which at present I cannot remember, but which to my mind establish her guilt. The Committee had no hesitation in unanimously deciding that it was a plain case and that the prayer of the petitioner ought to be granted.

Hon. Mr. GOWAN—I did not intend to say a word more on this case nor should I have done so now, if the hon. gentleman from Manitoba had not stated that he believed no jury would convict if the crime was charged before a jury in an ordinary court. I know not what is the hon. gentleman's experience may be in courts, but I had over forty years' experience in the administration of the criminal law, and I unhesitatingly say that I believe no jury would fail to convict of the crime charged under similar circumstances and with the same evidence laid before them. The evidence is twofold. I am not going to offend the ears of any gentleman by entering into particulars, but I want to point out sufficient to justify the action of the Committee and my own action, and in stating so strongly that the case was fully supported. The evidence is twofold. 1st. What took place at St. John's, where, notwithstanding being positively forbidden by her husband to meet the gentleman who is charged with participating in this crime to meet him, his wife deceived him, and notwithstanding he positively forbade the man to come to his house, they both for a long time unknown to the husband secretly met together under circumstances detailed at length in the evidence—under circumstances that no judge would have over-looked or refused to submit to a jury as some evidence of guilt. I will not enter into the particulars. My hon. friend opposite a layman has done justice to the matter so far as he has touched upon the evidence, but I would say and repeat that if the case stood alone upon that testimony, a judge would not be warranted in withdrawing the case entirely from a jury. He might tell them that the testimony was weak or that something further might be added, but he would not have been bound to say that he must withdraw the case from the jury under the circumstances that were brought out in the evidence. What these were any gentleman who takes the trouble to read the evidence will fully see. They were very suggestive, to say the least of it, of an improper intimacy between the parties, and they were both acting in violation of a promise they had given the husband. Then, with regard to the other part of the evidence, that which took place on the cars, unless the hon. gentleman who has spoken would expect in a case of this kind direct evidence, I do not know what more he could require. Now, this crime is of a nature that is almost always committed in secret. It scarcely ever happens that there is direct testimony to make out a case, but I can scarcely conceive a case where the evidence is more complete. The woman went to Montreal, and was met by her uncle in Montreal, and furnished with a ticket for a particular sleeping berth. She went on to the Junction outside of Montreal, having occupied the seat mentioned on her sleeping berth ticket until she came to that point; then, going to the parlour in the sleeping car, which was occupied by Capt. Coursolle, at once said to him "I was looking for you," and telling the porter that she would not require her berth for that night—that she would go into the other, the parlour section, occupied by Coursolle. Any man or any woman that could believe the pair remained together all night (having regard to what passed between them on previous occasions, and the circumstances attending his going on the cars) must be in a state of innocency not usual, and possessed of a nature that is rarely found amongst ordinary mortals. The fact, to my mind, was conclusive of the woman's guilt. I need say no more. Other members of the committee may deem it well to supplement other particulars.

Hon. Mr. KAULBACH—I do not want to prolong this discussion. I think my hon. friend who has raised the doubt is not without some proper reason for doing so. I hesitated in accepting the views of the Committee, until after I had read the evidence, because I had some doubt as to the identification of Coursolle on the train. I delayed coming to a decision on the case until I had read over the evidence, but when I found that the day on which the porter says Coursolle went on the train was the same day that, the petitioner swore, his wife went on the train, I had to infer that Coursolle was the man. The only difficulty in my mind is this, that the photograph as given to us showed Coursolle in a military dress while on the train he was not in such dress, which makes a great difference in the appearance of a person, and there might be a mistake as to the identity, but considering the gossip about these persons at St. John's, considering that Coursolle had made those surreptitious visits to the house of the petitioner while the husband was away—taking all these facts with the other circumstances attending the case, the way they went to and from the woods together, and the evidence of the porter, with her letter in evidence, it left in my mind no reasonable doubt. In these cases, of course, we apply the rule which governs criminal evidence: if there is a reasonable doubt, we give the accused the benefit of the doubt. The Committee were unanimous and, though I had some hesitation at the beginning for the reason which the hon. gentleman from St. Boniface has referred to, the identity of Capt. Coursolle on the train that day, I decided that the case was established.

Hon. Mr. LOUGHEED—I would point out to my hon. friend from St. Boniface, a very conclusive point of evidence which he has apparently overlooked, and which may relieve his mind on the question of identification. It happens in this particular case the Committee did not entirely rely on the production of the photographs to establish the identity of the parties. It happened that in this particular case, the sleeping car diagram produced showed conclusively that the name of Mrs. Heward was marked for this particular berth by the Canadian Pacific Railway officials in Montreal who sold it, and if hon. gentlemen will refer to the evidence they will observe that her name appears in berth 5, marked by the officials who sold the ticket for that particular berth; that the porter in returning his diagram to the proper official of the Railway Company marked upon that diagram that this particular berth was not occupied during that night, so that entirely apart from the production of the photograph and the identification of the lady in question by that photograph, it was established that Mrs. Heward had this berth sold to her upon the date in question, and that it was not used; consequently we were not compelled to rely upon the photograph alone, to establish her identity. Then in respect to the identity of Capt. Coursolle, I submit to this honourable House that it was not necessary to prove the identity of this individual or any other man, so long as it was not the petitioner, who occupied that particular stateroom with Mrs. Heward. I see no point whatever with respect to the identification of the particular man who committed the offence complained of, so long as Mrs. Heward occupied the room in question with somebody else other than her husband. That is all this House or the Committee is called upon to decide, and that has been proved beyond peradventure. I would refer hon. gentlemen also to the letters which have been produced, particularly exhibits 5 and 6, which are letters that were written, after the separation, by Mrs. Heward to her husband, and it will be distinctly seen from those letters that she, while not admitting this particular case, yet clearly admits that she had so wronged her husband as to justify the step which he had taken in separating her from him. I would refer hon. gentlemen to exhibit 5 in which she makes this statement—"You have been sufficiently wronged already; if you had given me one more chance it might have been different, even to our happiness; I have wronged my Edmond, but you did not understand my nature," &c. Then again in exhibit No. 6, at the top of the page, hon. gentlemen will find this statement: "How is it that Mrs.——never found herself in my predicament? Do not punish my Libby (referring to her child) for my doings. Please answer my questions clearly, who is your informer, &c." I submit to the House that sufficient inference at any rate can be drawn from these statements to clearly establish on the part of Mrs. Heward a confession as to her wrongdoing in this particular matter, and in conjunction with the other evidence submitted to us, sufficient to justify the finding of the Committee that the case was clearey proved.

The motion was agreed to.

Hon. Mr. CLEMOW moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time and passed.

SECOND READINGS.

Bill (13) an Act to give effect to an agreement between the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company and the Corporation of the City of Toronto.—(Mr. MacInnes, Burlington.)

Bill (55) an Act respecting the Lake Erie and Detroit River Railway Company.—(Mr. Casgrain.)

Bill (57) an Act to amend the Act to incorporate the Montreal and Atlantic Railway Company.—(Mr. MacInnes, Burlington.)

Bill (33) an Act to amend the Act to incorporate the Manufacturers' Accident Insurance Company, and to change its name to "The Manufacturers' Guarantee and Accident Insurance Company."—(Mr. McKindsey.)

HOUSE OF COMMONS REPRESENTATION READJUSTMENT BILL.

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (42) "An Act to amend the Act to readjust the representation in the House of Commons."

He said:—This is not a very formidable enactment; it is simply to correct some errors which exist in the law as passed during the last session of Parliament. The first clause has reference to the Nipissing district, which the House will recollect was added to the Algoma district and divided into electoral divisions and a representative given to each in the House of Commons. The present proposition is to extend the limits of that district in accordance with the Imperial Statute which was passed defining the boundary line between Ontario and Quebec. When the law was passed last year, they simply adopted the description in the Ontario Statute defining the judicial district of Nipissing. After examining the Imperial Statute it was found that a portion of the district was not included within the territorial limits of the electoral district. The amendment is simply to bring within the limits of the Nipissing district those who live in that portion of the territory included in Ontario by the Imperial Statute defining the boundary. In the city of Ottawa the words in the old Act " and shall return two members " were omitted in the Act of last session. If an election were to take place in the city of Ottawa under the Act as it now stands upon the Statute-book, the city would be entitled to only one representative. By this Bill the words " and shall return two members" are added. The county of Ottawa, it will be remembered, was divided into two electoral districts, one called Wright and the other Labelle. By some blunder the word " west " was inserted in the Act where the word " east " should have been used. It is proposed to substitute east for west. In the electoral district of Hochelaga, the town of St. Antoine is designated as a ward, and one clause of this Bill is to correct the error. In the electoral district of Rouville by some blunder the parish of Notre Dame de Bonsecours was omitted, and the effect of the omission would be that the electors in that parish would have no vote. A clause of the Bill is to include Notre Dame de Bonsecours in the electoral division of Rouville. The next clause relates to the electoral district of Chambly, as it is designated in the old law. There is a little sentiment in connection with the retention of the word Verchères. I remember it was promised at the time that the electoral district should be called Chambly and Verchères, and this clause is to carry out that promise. In the electoral district of Bagot, one of the parishes, St. Liboire, was omitted; it is added by this Bill. Another blunder occurred in the description of the electoral district of Richelieu. St. Ours is described as a town, but it is really an incorporated village, and it is proposed to correct the error. In the district of St. Hyacinthe, a portion of the territory was omitted, which disfranchised, I am told, about twenty electors, and the amendment is simply to bring them within the district. In the electoral district of Provencher, the parish or township of Hanover was omitted: this simply provides for adding Hanover to the electoral district of Provencher. These are the only changes, and the House will see that they are not material. They are simply clerical and typographical errors. If, however, the House desires further information or time to study the question, I shall simply move the second reading to-day and the Bill can be considered in committee to-morrow; but if my explanations are satisfactory, the Bill may as well be considered in committee now.

The motion was agreed to and the Bill was read the second time and referred to a Committee of the Whole House.

Hon. Mr. HOWLAN, from the committee, reported the Bill without amendment.

BILLS INTRODUCED.

Bill (23) " An Act respecting witnesses and evidence." (Mr. Angers.)

Bill (39) " An Act to incorporate the Ocean Accident Corporation." (Mr. De Boucherville.)

Bill (48) " An Act respecting the Port Arthur, Duluth, and Western Railway Company." (Mr. Clemow.)

The Senate adjourned at 4.40 p.m.

THE SENATE.

Ottawa, Friday, March 10th, 1893.

The SPEAKER took the Chair at 3 p.m.

Prayers and routine proceedings.

THIRD READINGS.

The following Bills, reported without amendment from the Committee on Railways, Telegraphs and Harbours, were read the third time and passed :—

Bill (25) " An Act respecting the Grand Trunk, Georgian Bay and Lake Erie Railway Company." (Mr. Vidal.)

Bill (44) "An Act respecting the Manitoba and South-eastern Railway Company." (Mr. Bernier.)

Bill (17) "An Act respecting the St. Lawrence and Adirondack Railway Company." (Mr. McMillan.)

MANITOBA AND NORTH-WESTERN RAILWAY COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (L) "An Act to consolidate and amend certain Acts relating to the Manitoba and North-western Railway Company of Canada," with amendments.

He said :—There are three amendments to this Bill, and as they are separate and have no necessary connection with each other, I will explain them separately so that the House may be in a position to act on each amendment as it is put. The first amendment is to the first clause, which was that repealing part of the Acts that are now consolidated under this Bill. The Bill, as it was introduced, reads in this way after repealing those provisions—"and in lieu of the said Acts and provisions, this Act, subject to the Railway Act and its amendments, shall apply to the Manitoba and North-western Railway Company, &c." Under this wording of the section, a very nice question arose and one which possibly might have been attended with difficulty had it not been for the amendment suggested and which makes it quite clear. The rule which applies to the position of a special Act under the General Railway Act is this—that the special Act rules in every respect where the General Act does not conflict with it. Now, in order to make this perfectly plain, the clause was altered so as to read this way : "And in lieu of the said Acts, and provisions, this Act, and in any matters not provided for by this Act, the Railway Act and its amendments shall apply, &c." This makes it perfectly clear and creates no confusion, and I see no reason why the House should not accept the amendment.

Hon. Mr. LOUGHEED moved that the amendment be concurred in.

The motion was agreed to.

Hon. Mr. DICKEY—The next amendment relates to section 6 of the Bill and to subsection 3 of that section. This is a consolidation Act, and this clause, amongst other clauses consolidated, is a new clause of subsection 10 of the original Manitoba Act, and it is simply, as it reads in the Bill, re-enacting the clause, and the reference to the same clause in the Manitoba Act is printed at the bottom of it; but it has been proposed to amend it (as I will explain to the House when I read the section) in this way: "The capital stock of the company may be increased from time to time," etc. It was suggested that it would be well to give power to decrease the capital if the company chose. This suggestion was acted upon, and the amendment was made which was read at the Table of the House, introducing the word "decrease" after the word "increase," It is obvious that possibly the question might arise in another place, where the people are rather suspicious about the wording of this clause, whether this would not affect the previous issues of bonds and shares, and that was a question which was a very serious one proposed for the promoters of the Bill, and a very serious one with reference to the legislation, and it is now submitted for the determination of the House. I simply explain the scope of the amendment, which is to give power to the company to decrease their capital stock as well as to increase it. The original clause only gave power to increase the capital stock to any amount, which they always have acted upon for the last ten years. Whether the amendment is a wise one or not is for the House to determine.

Hon. Mr. LOUGHEED—In respect to the amendments referred to in this particular clause, since the submission of the Bill to the Committee this morning the solicitor of the Company, upon perusing the amendment proposed, concluded that it would be better not to disturb the present powers which the company have, and the company therefore request that the Bill remain as it was before its submission to the Committee with regard to this particular clause. I, therefore, move that this amendment be not concurred in.

The motion was agreed to.

Hon. Mr. DICKEY—The last amendment is the one which refers to clause 23. It is an amendment which relates to the interest on bonds. The framers of this Bill, in presenting it in Committee, seem to have forgotten that the question of interest upon bonds had already been dealt with in clause 20, which was apparently conflicting with it. Therefore, it was moved that subsection 2 of clause 23, be struck out. "The interest payable in respect of debenture stock including interest upon any bonds, etc." The Committee without hesitation agreed to strike out these words. I see no objection to the adoption of the amendment.

Hon. Mr. LOUGHEED moved that the amendment be concurred in.

The motion was agreed to.

Hon. Mr. LOUGHEED moved the third reading of the Bill.

Hon. Mr. BOULTON—Before this Bill receives its final reading, I wish to say a few words with repect to the legislation contained in it. I do not propose to move any amendment which would require me to give notice and necessitate the postponement of the Bill, because such an amendment would somewhat interfere with the General Railway Act, which is already part of the legistion of the country. This Bill is a consolidation of the legislation affecting the Manitoba and North-western Railway Company of Canada. The reason I have selected this Bill for the purpose of pointing out the injurious legislation which I consider is contained in a Bill of this kind, is that the line passes through the district in which I reside in the North-west Territories. I am not opposing the Bill from any enmity towards the company, or for the purpose of attempting to restrict their operations in the slightest degree: but as I pointed out to this honourable House in some remarks I had occasion to make with regard to the Canadian Pacific Railway, I feel that this Bill confers too great powers upon this railway company, and railway companies generally, with regard to their powers to issue stock and to create liabilities upon the company in the shape of bonds or mortgages. The only object there would be in increasing their stock unduly is that dividends may accrue to holders of that stock, and when a large amount of stock is placed upon the indebtedness or liability of a railway company in any district, the people who are served by that railway company have to contribute to the traffic in order to meet those dividends. In a country such as I have the pleasure of residing in, we are subject of course, to railway communication without competition; that is to say, without such competition as hon. gentlemen have in other parts of Canada. We have no water communication to assist us in keeping down rates, and the fact is that up there we have very little competition between railway companies and therefore we are forced to protect ourselves, and it is only through the legislation of the country that we can protect the people. So far as this question is concerned, I am quite aware that it is in the power of the Government to declare whether the rates are reasonable or unreasonable. To that extent the country is protected, but we might also afford a protection by limiting the amount of capital stock that these railway companies are allowed to put upon the road. In the present instance the capital that is being put upon the road is $12,000,000, without reference to the mileage that may be created under this Act. If the railway should happen to be completed in various directions, and it came to 500 miles, there would be $25,000 per mile stock issued upon the road. In addition to that they have the power to issue $20,000 in bonds and mortgages. Now, hon. gentlemen, that is $45,000 a mile capital imposed upon the district which has to do the carrying trade for 500 miles in our North-western country, and what I say is that that is an excessive amount, that by no possible means can it cost $45,000 per mile to build that road. $30,000 per mile at the outside is fully ample to meet all the requirements of construction, equipment, and even extravagance in that respect; and it is wiser for us, I think, to consider the advisability of passing legislation of this kind and not change our system. I am quite aware that under the General Railway Act powers are conferred upon railway companies to increase their stock to an unlimited degree, merely restricting it to the power of the shareholders. An amendment should be made to the General Railway Act which would make that power subject to the approval of the Governor-General in Council, because I contend that as far as the general industries and the general wealth of the country are concerned, the foundation of that, and what creates the wealth of the country, is the labour put into it, and the industry of that labour, and a Bill of this kind empowers the individual to collect that wealth through the large amount of stock the company can issue and collect dividends upon. Of course, if they cannot collect dividends, then the credit of the company is depreciated to the extent to which the bonds or stock are depreciated, so that whichever result happens, the company suffers to some extent. I contend that in the interests of capital itself it is wise to limit that power to $30,000 a mile rather than to give them the power to issue $45,000 a mile, with the additional power we are conferring here of increasing that if they see fit to do so. There is a clause here which says:

> The capital stock of the company shall be twelve millions of dollars, divided into two hundred and forty thousand shares of fifty dollars each.
>
> 2. The directors may make and issue as paid-up stock shares in the company, whether subscribed for or not, and may allot and hand over such stock in payment for right of way, rolling stock or materials of any kind, and also for the services of contractors and engineers; and such issue and allotment of stock shall be binding on the company, and such stock shall not be assessable for calls; and all paid-up stock heretofore made and issued in accordance with the provisions of section three of chapter eighty-six of the statutes of 1888 is legalized and confirmed.

In that clause I can see how it is possible to convert that twelve million dollars into paid up stock of the company while only twenty-five or fifty cents on the dollar may have been paid in on that stock. Under that clause it is quite possible for the company to let a contract to what is popularly known on this continent as a construction company, and they can enter into a bargain with them to pay that partly in stock and partly in the proceeds of the bonds; and they can make a bargain with them which will enable that construction company to take that stock at twenty-five or fifty cents on the dollar, When they have done so and made the bargain, that comes to be paid up stock to the extent of one hundred cents on the dollar. Supposing such a thing were done, there has only gone into the construction of that railroad twenty-five or fifty cents, or whatever proportion of value may be bargained for in carrying that transaction, and when that stock goes upon the market, the country is bound to sustain it, so far as this legislation which has enabled the company to put that stock upon the market. My object in speaking of this is to enter a protest, so far as the agricultural industry in that great country is concerned; it is impossible for us to submit to more than a legitimate charge for carrying our produce to market. What I claim is that ordinary and fair economy should be used in the construction and management of the road. When that is done, I have no fear but what the country will be able to prosper and progress, but it is utterly impossible in that country, where we are depending entirely upon railway communication, to pay such rates as will enable the company to collect a dividend of $45,000 or $50,000 or $60,000 per mile, as the case may be. As I said before, it is not my intention to move an amendment now, because it would be unfair, while the general Railway Act allows every railway in the country to increase its stock to any amount, to deprive this company of the same privilege. There is another clause also which gives the company another year to build 20 miles. I regret very much indeed to see that clause in the Bill. I should be sorry to say or do anything that would interfere with the development and progress of the country, but I certainly think that the Government should assist the company in some way or another that would enable them to build that 20 miles this year. The leader of the House last year (Mr. Abbott) asked for the passage of the Act which permitted another year to elapse without constructing any portion of the railway, and, in consideration of that, 40 miles were to have been constructed the following season. Now, we see that this Bill asks for a further extension of time for the completion of the 20 miles, and that the section of 40 miles had not been constructed. It is a great drawback, and I understand what the settlers suffer for want of railway communication—settlers who go 30, 40, 50 or 60 miles in there waiting for the railway; and I cannot but express my regret that the Bill contains that clause. At the same time, I do not propose to say anything that will interfere with the progress or development of the country.

The motion was agreed to.

BILLS INTRODUCED.

Bill (O) "An Act to amend the Seamen's Act."—(Mr. Bowell).

Bill (P) "An Act to amend the Inland Water Seamen's Act." (Mr. Bowell.)

Bill (Q) "An Act to incorporate the Canadian Live Stock Insurance Company." (Mr. Almon.)

Bill (41) "An Act to incorporate the Eastern Trust Company." (Mr. Almon.)

Bill (46) "An Act to incorporate the Ocean Guarantee Corporation." (Mr. Ferguson.)

Bill (53) "An Act respecting the Alberta Railway and Coal Company." (Mr. Lougheed.)

THE RULES OF THE HOUSE.

MOTION.

Hon. Mr. BOWELL moved :

That he will move, that a Special Committee be appointed to consider and revise or add to the Rules, Orders and Forms of Proceeding of the Senate, and that such Committee do consist of the Honourable Messieurs. Allan, Dickey, Miller, Power, Pelletier, Bellerose, and the mover, with power to report from time to time.

He said :—With the consent of the House I should like to add the names of the Hon. Messrs. Howlan and Lougheed, making the committee nine instead of seven.

Hon. Mr. McINNES (B.C.)—I hope the leader of the House will not object to adding the names of Mr. Scott, and my hon. colleague from British Columbia, Mr. Macdonald. Both of these gentlemen are well up in the rules governing this body, and, I think they will be most useful members of the committee. I do not think it will make the committee too large or unwieldy.

Hon. Mr. BOWELL—I have not the slightest objection. My only desire is to have a good working committee, and I have always found in the past that too large committees are not as workable, if I may use that expression, as those that are smaller. Still I have not the slightest objection to adding the names of the gentlemen that have been suggested. I move that the names of Messrs Scott and Macdonald (B.C.) be added.

The motion was agreed to, and the motion as amended was adopted.

SECOND READINGS.

Bill (J) "An Act for the relief of John Francis Schwaller." (Mr. Clemow.)

Bill (K) "An Act for the relief of Annette Marion Goff." (Mr. Clemow.)

THIRD READING.

Bill (42) "An Act to amend the Act to readjust the Representation in the House of Commons." (Mr. Bowell.)

The Senate adjourned at 4 o'clock.

THE SENATE.

Ottawa, Monday, March 13th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

SECOND READINGS.

Bill (48) "An Act respecting the Port Arthur, Duluth and Western Railway Company." (Mr. Clemow.)

Bill (46) "An Act to incorporate the Ocean Guarantee Corporation." (Mr. Ferguson.)

Bill (53) "An Act respecting the Alberta Railway and Coal Company." (Mr. Lougheed.)

The Senate adjourned at 3.30 P.M.

THE SENATE.

Ottawa, Tuesday, March 14th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THIRD READINGS.

The following Bills, reported without amendment from the Committee on Railways, Telegraphs and Harbours, were read the third time and passed :—

Bill (13) "An Act to give effect to an agreement between the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company and the Corporation of the City of Toronto." (Mr. MacInnes, Burlington.)

Bill (55) "An Act respecting the Lake Erie and Detroit River Railway Company." (Mr. Casgrain.)

Bill (57) "An Act to amend the Act to incorporate the Montreal and Atlantic Railway Company." (Mr. MacInnes, Burlington.)

THE WESTERN COUNTIES RAILWAY COMPANY.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (38) "An Act respecting the Western Counties Railway Company and to change the name of the Company to the Yarmouth and Annapolis Railway Company," with an amendment. He said: This amendment occurs in clause 8 of the Bill, which proposes to give power to this company to acquire, own and operate steam and other vessels without restricting the power to operations of that description named in connection with the undertaking of the railway. The amendment as suggested and agreed to introduces the words which have been read, in consequence of which the clause will read this way—"The company may, for any purpose in connection with their undertaking, acquire, &c." The other amendment is a mere consequential amendment. The amendment was proposed by the promoters of the Bill and accepted unanimously by the Committee. I see no objection to it and I think it may be agreed upon at once.

Hon. Mr. POWER moved that the amendment be concurred in.

The motion was agreed to and the Bill as amended was then read the third time and passed.

THE WELLAND CANAL INVESTIGATION.

Hon. Mr. O'DONOHOE gave notice that he would, on Tuesday next, move :—

That an humble address be presented to His Excellency the Governor-General, praying that His Excellency will cause to be laid before this House all the papers, examinations, evidence and report of the Commissioner to whom the charges preferred by the Hon. Senator McCallum against Wm. Ellis, a superintendent, on the Welland Canal, were referred for investigation; also an account of the expenses of such investigation including an estimate of the cost of the debates made in Parliament in reference to said charges.

He said: I give this notice because I see a motion on the paper to-day by the hon. Senator from Monck. For four years this matter has been before the House and immense expense has been incurred in consequence of it. The Senate, while the matter has occupied their attention, has not had an opportunity of seeing the data on which to come to a proper conclusion, and will not be in that position until these papers are brought down. I, therefore, suggest to my hon. friend, the member for Monck, that he defer bringing up his motion until those papers are laid before the House.

Hon. Mr. McCALLUM—That is a lawyer's advice, and such advice when gratuitously offered is not worth much.

Hon. Mr. O'DONOHOE—That is very witty.

Hon. Mr. McCALLUM moved :

That an humble Address be presented to His Excellency the Governor-General: praying that His Excellency will cause to be laid before this House, a statement and account showing the amount paid back to William Ellis, superintendent of the Welland Canal, taken by him (Ellis) in excess of what was just, right and proper, and not included in a return laid before the Senate, in answer to an Address of the Senate, of the 17th of June, 1891.

He said :—Hon. gentlemen may remember that an address was passed lately calling upon the Government to lay before the House certain statements of the accounts and amounts of money that the Government of this country made Mr. Ellis give back of what he had taken. I have got that statement in my hand. I do not know that it has ever been put in our Debates. My hon. friend from Erie is very anxious to get information on this matter, and he told us the other day that he had read all the evidence taken at the Welland Canal investigation. I know that hon. gentlemen in this House are not all as well acquainted with the case as he must be if he read all the evidence. I questioned the correctness of his statement when he made it, but he insisted that he had read all the evidence, and he said the only proof furnished by that evidence was that $100 had been taken by Ellis wrongfully. I tried to help him out of the difficulty that he was getting into. I told him that he was quoting from the statements of Mr. Ellis or of his counsel Mr. Rykert. Mr. Rykert puts the amount that Mr. Ellis had taken.

at $118. My hon. friend from Erie goes him one better, and says that Mr. Ellis had taken only $100. I should advise Mr. Ellis, if he ever gets into any trouble again, to retain the hon. Senator from Erie, because he can do better than Mr. Rykert did. Now, I hold in my hand a statement showing that a very considerably larger amount than that was taken. I do not know whether the hon. gentleman from Erie has read this part of the evidence to which I refer. Did he ever read Mr. Foster's evidence? I have got it in my hand. Many of you have heard me say that he burnt the books so that I could not get at the amount he charged the Government every month, and certified to its being correct and right; but what did I do? I took it from the pay lists and put it in the evidence, and anybody who looks through the evidence of Robert Foster will find the list that I procured, and to which I called the attention of the Government. The Commissioner did not want to have it put in; he said: "You can call my attention to it when you come to sum up." I did not get at all the facts. I remember every word that I said in this House in making the statement that Mr. Ellis had taken approximately from the public beyond what was right, just and proper to the amount at least of $800. Now, I am moving this motion to see how much the Government have got back from that gentleman. I hold a statement in my hand, and it is as follows:—

Return to an Address of the Senate, dated 17th June, 1891.

For a statement and account showing the amount of money received and taken in excess of what was just and proper by William Ellis, superintendent of the Welland Canal, if any, from the 29th day of December, 1879, until the 11th day of September, 1889; also a statement showing the amount of money paid back by Mr. Ellis, if any, and date of payments, if any. Further, a copy of the bond given as security by Mr. Ellis, if any, to secure the payment of the money taken in excess.

(Sd.) J. A. CHAPLEAU,
Secretary of State.

(Ref. No. 6.)
Mover, Hon. Mr. McCallum.

OTTAWA, 20th July, 1891.

(Return No. 13.)

SIR,—I herewith transmit Return in answer to an Address of the Senate dated the 17th of June, 1891, with statement and account showing alleged excess of charges for horse hire made by Mr. W. Ellis, superintendent of the Welland Canal from 29th December, 1879, until 11th September, 1889. Also, of amounts stopped from Mr. Ellis by the Auditor-General.

No bond has been given by Mr. Ellis for any repayment.

I have the honour to be, sir,
Your obedient servant,

(Sd.) A. P. BRADLEY,
Secretary.

The Under Secretary of State,
&c., &c., &c.,
Ottawa.

DEPARTMENT OF RAILWAYS AND CANALS.

RETURN NO. 13.

Return in answer to an Address from the Senate dated the 17th of June, 1891, for a "statement and account showing the amount of money received and taken in excess of what was just and proper by William Ellis, Superintendent of the Welland Canal, if any, from 29th December, 1879 to the 11th day of September, 1889, also a statement showing the amount of money paid back by Mr. Ellis, if any, and date of payments if any. Further a copy of the bond given as security by Mr. Ellis, if any, to secure the payment of the money taken in excess."

Reference No. to Address (Dept.) 134945.
" " " Secy. of State No. 6.

STATEMENT of amounts paid for horse hire for Mr. Ellis, Superintendent of Welland Canal.

1881.		
June 30	—Horse hire, &c., with mail correspondence, examining and reporting canal works......	3 50
1884.		
Feb. 17	—Horse and buggy (August pay list repairs................	1 50
1886.		
May 17	—6 days' horse and buggy......	8 50
Aug....	—5 do do	8 50
Sept....	—3 do do	4 50
Nov....	—1½ do do	1 50
1887.		
April...	—Carriage $3.50, 13½ days' horse and buggy $34.............	37 50
May....	—19 days' horse and buggy.....	45 50
June....	—8 do do	26 00
July....	—19 do do	44 50
Aug....	—12½ do do	26 00
Sept....	—10 do do	18 00
Oct.....	—9 do do	16 00
1888.		
April...	—10 do do	21 00
May....	—12 do do	27 00
July....	—17 do do	37 50
Aug....	—18 do do	40 00
Sept....	—14 do do	30 00
Nov....	—12 do do	21 00
1889.		
May....	—4 do do	9 00
June....	—14 do do	30 00
July....	—13 do do	28 50
	Total....................	$475 50

DEPARTMENT OF RAILWAYS AND CANALS,
2nd February, 1891.

STATEMENT of deductions from the salary of Wm. Ellis, Superintendent of Welland Canal, and placed against payments made for horse hire for him.

1890.		
Nov.	Salary for October deducted by Auditor-General	$ 241 66
1891.		
Jany.	Quarterly allowance December for travelling expenses deducted by Auditor-General	75 00
March.	Deduction from salary on account over payments for horse hire	30 00
April.	Deduction from salary on account over payments for horse hire	30 00
		376 66

LEONARD SHANNON.
Accountant.

Department of Railways and Canals,
July 8th, 1891.

Now, if my hon. friend from Erie had read the evidence, as he said he did, he must have seen this. I do not see my hon. friend from Niagara in the House. I am very sorry that he is not here, because he undertook to mislead the House the other day on two or three points. He undertook to mislead them on the question of the rubber boots, on the question of the gas, and in reference to repairs to houses, and other points. I should like very much if he were here to-day, because I want to explain these matters to the House and let the hon. gentleman see if he can reconcile his statement with the facts in evidence. Now, I have read a statement which shows that Mr. Ellis took $475.50 from the Government—that is, up to the time that this statement was made up. What I want to find out is whether he has taken any, and, if so, how much, since then. Mr. Rykert, who was counsel for Mr. Ellis at the time of the investigation, admitted that the loss to the country was $118. They tried to excuse Mr. Ellis's conduct on the ground that the amount was so small. As I said at the time, it was as good an excuse as that of the girl who got into trouble and who thought she might be pardoned because her illegitimate child was so small. Now, the Government, up to the time this statement was brought down, had made Mr. Ellis pay back into the public treasury $376.66, and I want to ascertain if they have made him pay back anything more since this statement was made up. Perhaps I have been too hard on the Government—they may be simply keeping Mr. Ellis on in order to give him an opportunity to pay back what he owes the country. Nobody in this House is more tired of this subject than I am. I only deal with it again in order to keep myself right before the country. I have not made a statement in this House that I do not believe to be perfectly true. My hon. friend from Erie says that he read all the evidence through: if so, he should know better than to make the statements to which he has given utterance in this House. My hon. friend from Niagara stated that the Government had a contract with the Gas company to furnish gas on the Welland Canal and that the sum agreed upon covered the gas used in the public offices. If the hon. gentleman recognized the duty that he owes the country he would not make such a statement to mislead the House. If he had looked at the sessional papers he would have known better. It is true that Mr. Ellis had nothing to do with making the contract. It is a bulk sum contract of $10,000 a year. I have the document in my hands, and if it were not too long I would read it to the House. In addition to the bulk sum for lighting the canal, whatever gas was furnished to the offices of the canal and some few lights on the old canal is paid for by the thousand—it goes through the meter. My hon. friend admitted the other day that it was injudicious on the part of Mr. Ellis to allow the company to put gas into his house. Now I think the company might have given whatever quantity of gas they liked if he had not in return given the company a *quid pro quo* by turning down the gas on the canal to the injury of the navigation of the country. That is my complaint in reference to the gas. Another thing that I showed is that the gas has been used in Demare's house—it passes through the Government meter and the Government pays for it. The sessional papers contain the following items:—

St. Catharines and Welland Canal Gas Lighting Co.

Balance of contract for new canal gas supplied for season of 1887	$5,000

That is for half the year. Then in addition to that there are the following items:—

25,400 ft. of gas supplied Canal Offices 12 months, per meter, $2.50	$63 50
Gas supplied old Welland Canal for season of 1887, 9 lamps as per original account at 30 cents	270 00
11,100 ft. of gas supplied Port Dalhousie shops, per meter, at $2.50	27 75

15,000 ft. gas to the Collector's house, Port Dalhousie	37 50
20,000 ft. gas to the Welland Canal Office	50 25

Now, in the face of these facts, why should the member for Niagara try to mislead the public on the subject? Then the hon. gentleman spoke about the houses on the Welland Canal, and said that as the Government rent these houses they should make the repairs. I do not object to the Government making repairs on those houses on the Welland Canal. I spoke of the overseer's house at Port Dalhousie—the house which used to be the old canal collector's house at that point. I find no fault with the Government for repairing a house, but I do find fault with Mr. Ellis for giving a contract to an individual without competition, and I find fault with the Government of this country for furnishing material and paying the men for doing a large proportion of that work while Mr. Miller, the contractor, got the money. The hon. member for Niagara tried to make a cushion of himself to save Mr. Ellis in dealing with these two matters, and also in referring to the damage done on the Welland Canal through Mr. Ellis' neglect. He tries to put the blame on W. G. Thompson. Now, what was the evidence of Mr. Page? I have it here, and I will read it:—

Q. It was the duty of the men in charge there that night to see the gates closed when they saw the storm coming?—A. We have only to look to the superintendent.

Q. Should not the harbour master have looked to that?—A. He has nothing to do with the lock. He cannot touch the lock gates.

Q. Has he no power to look after them?—A. No.

Q. Who would have power there?—A. The man in charge.

Q. Mr. Secord is the man there?—A. I suppose so. The fact is, the gates should be closed, storm or no storm, at the close of navigation.

Q. Were instructions given to that effect?—A. Oh, yes, I have told Mr. Ellis repeatedly that—no instructions, but it has been talked over and the reasons have been given.

This is Mr. Page's evidence, given under cross examination. It is not necessary to quote any further from it. I now come to the case of Shiner's Pond Bridge. The hon. member from Niagara, in his anxiety to help Mr. Ellis in this matter, came all the way from California to give evidence. I am sorry that he is not in the house now to hear his own evidence read.

Hon. Mr. SMITH—He is away west.

Hon. Mr. McCALLUM—I will deal with the matter now, because I propose to wash my hands of this matter after I get through, and hold the Government responsible. I want to show that the hon. gentleman from Niagara was not satisfied with trying to run the county of Welland, but he wanted also to run the Department of Railways and Canals.

Hon. Mr. SMITH—Would it not be better to postpone this matter until the hon. gentleman is present?

Hon. Mr. McCALLUM—No, I think I had better read his evidence. He has sworn to it and he could not change the effect of it if he were here. It is not my fault that he is not in his place. My notice was on the paper for some time and he knew that it was coming up. Here is the evidence that was taken when Mr. Ferguson was called in defence and examined by Mr. Ellis' counsel, Mr. Rykert:

Q. You are member for the County of Welland?—A. I am.

Q. Do you know a bridge called Shiner's Bridge on the main road from Thorold to Allanburg?—A. Yes.

Q. How long have you known that bridge?—A. For fifteen or sixteen years.

Q. Have you had occasion to cross that bridge repeatedly?—A. Yes.

Q. I believe you had worked somewhere in that neighbourhood?—A. Above that near Welland.

Q. What time was it that you were working there?—A. From 1873 up to 1878 or 1879.

Q. Do you know in what state the bridge was when you first commenced to work there or to use the bridge?—A. I did not take particular notice of it, but it was in the usual state that bridges in that part of the country are.

Q. Do you know that the bridge was used largely by contractors on the Welland Canal?—A. I do especially in the construction of that portion near the bridge—the bog lock there.

Q. How was it used? Was it considerably worn out?—A. Yes, in hauling the heavy material for the construction of the lock, I am quite satisfied that they damaged the bridge and wore it out.

Q. You are quite satisfied that the contractor's teams did serious damage to the bridge?—A. Yes.

Q. Did you have occasion to represent that to the Government?—A. I did on several occasions.

Q. For what purpose?—A. I understood from the department that it had been referred to Mr. Page and Mr. Page had reported against its reconstruction by the Government. I did not see the report.

Q. What action did you take in reference to it?—A. I went to the Minister of Railways and Canals, who was then Mr. Pope. I reported the thing to him from my own knowledge and from the information I had gathered from the people that the bridge was worn out and that in my opinion it ought to be reconstructed by the department. We had several interviews, and finally Mr. Pope said that he could not very well recommend its reconstruction in the face of what Mr. Page had said or written. I still urged it very strongly upon him and he said to me " I do not see any other way of getting it done for you except by Mr. Ellis, the Supertendent of the Canal does it, and he said " You had probably better see Mr. Ellis and tell him that I do not object to it; that I can give instructions to have it reconstructed out of the appropriation for the canal, but I could not very well go to the House and ask for an appropriation in the face of Mr. Page's report." I saw Mr. Ellis and told him what Mr. Pope said and he said he would do it, but it was a good while after I spoke to Mr. Pope on the subject.

Q. Was it upon that that Mr. Ellis undertook the bridge ?—A. Yes.

Q. Is that a bridge of great public advantage ?—A. I think so. I don't see very well how the people of the upper portion of Thorold township could get into Thorold without that bridge. It appears to me to be an important bridge.

Q. Were representations made to you by the township people in reference to the bridge ?—A. Yes, time and again.

Q. Did they make application to you to have that bridge repaired ?—A. Yes; I had several deputations. Mr. John Wilson, Reeve of the Township, urged the matter very strongly and the deputations that waited upon me also. I may say, that it was my own conviction that the Department should reconstruct that bridge or I would not have urged it so strongly on Mr. Pope. I think there are a good many letters of mine in the Department on the matter, for I had been working at it a long time before I succeeded in getting Mr. Pope to have it done.

Hon. Mr. McCALLUM—Did you get any letter from the Minister about it at all ?—A. I think probably I did.

A. Are you sure ?—A. No; I am not sure.

Q. How long ago was that ?—A. It must have been when I first commenced probably three years ago.

Q. When did you have that conversation with Mr. Pope ?—A. It must have been about two years ago or two years and a half ago—I can scarcely tell.

Q. And you say that Mr. Pope told you to get Mr. Ellis to build the bridge ?—A. He said if Mr. Ellis would build the bridge out of his appropriation for the canal he had not the slightest objection; but he could not in the face of Mr. Page's report ask Parliament for an appropriation specially for that purpose.

Q. You were the authority then for Mr. Ellis to build the bridge ?—A. I think I was. I do not know whether Mr. Ellis got instructions from the Department about it; but I know I conveyed to Mr. Ellis what Mr. Pope said to me about the bridge, and Mr. Ellis said he would see what he could do, and try and do it.

Q. Did you get Mr. Ellis to do any other work for you along the Canal in that way ?—A. Not specially. I have not been as lucky as I might have been.

Q. You and Mr. Ellis must be very friendly when he would build a bridge for you in the face of the report of the engineer ?—A. I do not know that he is particularly friendly.

Q. We have evidence here that that bridge cost over $1,000 ?—A. I dont know what it cost.

Q. Mr. Ellis built that bridge on your instructions ?—A. No. He built it on the instructions that I conveyed to him from the Minister of Railway and Canals. I dont suppose the Mr. Ellis would have touched it otherwise for I asked him time and again and he said that he would not do it.

Q. Did he do anything else for you without instructions ?—A. I think he put a culvert in at the canal near Port Colbourne. There was one put in by Mr. Thompson on the west side, and I understant that there was one put in by Mr. Ellis on the east side.

Q. You do not know that there were three or four put in there ?—A. I do not; but I know there ought to have been.

Q. Do you know how they were put in ?—A. No, I never saw them.

Q. Is it not strange that you did not take interest enough in the work to see it if you were the man who ordered it ?—A. I never went near it.

Mr. RYKERT—Where they pipes or culverts ?—A. I do not know.

Hon. Mr. McCALLUM—Dont you know that there are culverts put in on both sides of the canal that carry in sediment into the canal, on your instructions ?—A. I do not know. I have not seen them.

Q. Do you remember expressing, just before the last election, that if you were defeated it would be Mr. Ellis s fault ? Did you not say that before a public meeting.

The COMMISSIONER — The witness may answer the question if he pleases, but I do not think it is desirable to go into such matters. We are not investigating any political questions at present.—A. I do not remember any such expression being used by me.

Hon. Mr. McCALLUM—You are the gentleman that ordered Mr. Ellis to build that bridge ?—A. I conveyed to him what Mr. Pope said, and the wish Mr. Pope had expressed with respect to it.

Q. When did you convey that information to him ?—A. It must have been two years or two years and a-half ago.

I could not rebut Dr. Ferguson's evidence, on the Slimer's Pond Bridge because John Henry Pope had gone to a higher sphere. The hon. gentleman swore that he did not remember stating, just before the last election, that if he was defeated it would be Mr. Ellis's fault, but what was the fact ? The hon. member was elected to Parliament in 1887. I worked hard to help to elect him, but the next time he appeared before the people he was defeated. The hon. gentleman is one of the best speakers we have in Ontario; he is a pleasant man, a good looking man, a clever man and a rich man. The people of Niagara district took him to their bosom and kept him there for ten years, but when they saw the way he acted with Mr. Ellis they threw him away. I will not say they spewed him out, but they threw him away. It is a singular fact that three of the gentlemen, who have been aspiring to public honours in the Niagara district, who gave evidence at the Welland Canal investigation have been left at home by the electors. I am a strong Conservative, but you may remember that I warned the Government that the effect of keeping on Mr. Ellis was to give the dry rot to the party in Niagara district. My words have been verified by the results in the late election. You remember the remarks of the hon. member from Niagara when he referred to the repairs on the overseer's house. Now I will read you the account as it appears in the Sessional Papers :—

To Roger Miller, Port Dalhousie :—

Taking down floors, partitions, stairs and doors of overseer's house, Port Dalhousie, removing mud and decayed flooring, laying in 160 feet drain from same to harbour, concreting floor, building cellar, renewing floors, partitions, stairs, doors, &c., throughout, arranging windows and door openings, putting in new sash and doors, taking down old stone chimney and building new brick one, repairing outside blinds, plastering, painting, &c., papering, as per agreement..........................	$500
Taking out decayed floor of adjoining lockmaster's house and mud under concreting and relaying new floor, laying 160 feet drain from same to harbour, taking off old and putting on new plastering and ceiling, making new window openings and putting in new sash frames and blinds, taking out other decayed sashes and fitting with new, painting and papering where required, as per agreement.	135
Taking out floor, partition, stairs, doors of old Collector's office and converting into additional dwelling accommodation for overseer, removing fault and brick division wall and rebuilding in proper position, making new window openings and fitting with new sash and blinds, renewing other old sashes fitting storm sash, repairing blinds, removing old chimney, building new one and plastering, painting and papering throughout as per agreement....	400
	$1,035

No one has ever heard me say that the Government should not repair the lock-tenders houses on the Welland Canal ; no one has ever heard me say that the canal employees are too well treated. I have raised my voice against having them tyrannized over. What I have complained of, and what the evidence shows, is that improvements should be made to Mr. Demare's house, and the time of the men and material furnished should be paid for by the Government. When I moved for an investigation into the management of the Welland Canal I pointed out that Mr. Ellis, in reporting to the Department, showed where he drove a spike, or put a link in a chain, or painted a flagstaff, or caulked a punt, but he did not tell the people of this country where thousands and thousands of dollars of the public money had been squandered. No one ever heard me say that the lock tenders or other employees on the Welland Canal were paid too much. I have complained often that they were not paid enough. In some few cases they get more than they are entitled to, but, promotion, there, like kissing, goes by favour. I am sorry that the hon. gentleman from Niagara is not here to-day, because I would like to deal more at length with him. He tried to mislead the House and put me in a false position. I will not allow him, or the hon. member for Erie, to do so. I want to have the evidence which was taken at the investigation submitted to the public. I want to go beyond the report, because the report is partial ; otherwise it would not have been necessary to make two reports. If you will read the evidence for yourselves you will find that the Commissioner who was sent to investigate matters on the canal was more of an advocate than a judge. Every question he puts is with a view of shielding Mr. Ellis, and the Government will see this when they come to read the evidence. What I claim is that the Government should either dismiss Mr. Ellis from office or publish the evidence to the world, then I will be satisfied. There is not a man in this House who regrets more than I do the necessity of bringing up this question so often. I have no object in doing so except to discharge my duty to the public, and I have to thank the House for the patient and kindly manner in which they have listened to my remarks.

Hon. Mr. BOWELL—There is no objection to bring down the information which the hon. gentleman asks for in his motion, but I think this House should not be asked to affirm a statement of which they are not cognizant. The hon. gentleman will see that the motion makes a distinct and positive charge against Mr. Ellis of having taken money in excess of that to which he was entitled. The hon. gentleman's object can be attained just as well by omitting these words, and without asking the Senate to declare by a motion that certain things took place of which they are not cognizant. The words of the resolution are "taken by Mr. Ellis in excess of what was right, just and proper." There is a distinct and positive charge against Mr. Ellis which may or may not be true—I am giving no opinion on that point—but I think it is too much to ask the House to affirm that he did take money improperly, without the facts being first laid before them in a return such as the hon. gentleman asks for. I would suggest an amendment of the resolution which will attain the object that the hon. gentleman has in view, without asking the House to affirm that, which I have no doubt he firmly believes to be true, but which is not yet established. If he would amend the motion in this way: "Will cause to be laid before this House a statement and account showing the amount said to have been improperly retained by Wm. Ellis, superintendent of the Welland Canal, and not included in, &c." I hope my hon. friend will accept that suggestion, as it will attain the object he has in view without placing the Senate in a false position.

Hon. Mr. McCALLUM—I do not wish to place the hon. gentleman or the House in a false position. If they could be placed in a false position now, they would have been by the motion I moved before, and the hon. leader of that day did not complain then that he was placed in a false position. If he will look at the minutes he will see that this is simply a copy of a resolution passed when the leader of this House was the late Premier. That motion called for "a statement and account showing the amount of money expended in excess of what was just and proper by Wm. Ellis, Superintendent of the Welland Canal, if any, from the 29th day December, 1879 until the 11th day of December, 1889. Also a statement showing the amount of money paid back by Mr. Ellis, if any, and date of payment, if any."

Hon. Mr. KAULBACH—But there is no "if any" in this motion.

Hon. Mr. McCALLUM—If it was taken properly why do the Government make him disgorge? According to the statement I have read he was compelled to refund $376.66. My object is to learn how much more the Government have made him pay back. The Government state that he took $475.60: if it was right for him to take it, why make him disgorge any of it? You say now that I want to place the Senate in a false position.

Hon. Mr. BOWELL—The hon. gentleman misinterprets my language altogether: I attribute no motives to the hon. gentleman. I did not say that he has attempted to put the Senate in a false position, but if the Senate were to affirm this motion they would do so. The hon. gentleman's motion, as passed last session, is not at all of the same character as the motion now before us, because he says in that motion "money taken in excess, if any": that is qualified, and consequently in that way could not be objectionable to this House. I was surprised when the hon. gentleman said that the late leader of the Senate allowed a motion of this character to pass. We have no objection to bring down all the papers and a full statement of the amount refunded by Mr. Ellis, and, if it were within the purview of the resolution, even to give the reasons for it; only I ask him to amend his motion in the manner I have indicated.

Hon. Mr. McCALLUM—I am perfectly willing to do anything that the Senate says I should do, but the hon. gentleman can see why the words "if any" were in the first resolution and not in this one. When the first motion was made, I had no proof that any money was refunded—the statement I have read to-day shows that the Government have compelled Mr. Ellis to disgorge $376.66, and I want to find out if any more has been refunded. The hon. gentleman can do as he likes about changing the resolution.

The motion was amended as suggested, and adopted.

THE POLLUTION OF RIVERS IN BRITISH COLUMBIA.

INQUIRY.

Mr. MACDONALD (B.C.) rose to

Inquire of the Government whether the orders issued to prevent the pollution of rivers in British

Columbia with offal from the salmon canneries are being enforced, where it is possible and practicable to do so?

What does the Fishery Officer in that province report on this subject?

He said: This question was before the House last year and the leader of the House, Mr. Abbott, took a great interest in the matter and promised that an order should be issued to prevent the pollution of the rivers in British Columbia. I believe orders have been issued and something done there, and I wish now to hear what has been done.

Hon. Mr. BOWELL—Positive instructions have been given to the agent of marine and fisheries, to the inspector of fisheries and other fishery officers in British Columbia to enforce the Act relating to fish offal on the Fraser and other streams in British Columbia, which Act absolutely prohibits the throwing of offal into the streams or rivers, or the disposal of it upon the shore or bank of the rivers, &c. It has been found possible and practicable to comply with the requirements of the Act in a measure, by the working of a small oil factory on the Fraser, and if this method were carried out on a sufficiently extensive scale by the numerous canning establishments on the rivers, the fish offal could be satisfactorily disposed of within the meaning of the Act, as a marketable article of oil and fertilizer may be produced from the offal. The fishery officers of the province have almost invariably reported against the system hitherto pursued of throwing offal into the water, as it is alike injurious to the fishing interests and to the inhabitants along the rivers generally. From this the hon. gentleman will see that so far as the Department is concerned the most rigid instructions have been given, and the most rigid regulations adopted in order to stop the injury which has been done by the throwing of the offal indiscriminately into the rivers.

BILLS INTRODUCED.

Bill (40) "An Act to incorporate the Canada North West Land Company, limited." (Mr. McKindsey).

Bill (3) "An Act to amend the Wrecks and Salvage Act." (Mr. Bowell).

Bill (59) "An Act to incorporate the Canada Carriage Company." (Mr. Reid, Quinte).

Bill (61) "An Act respecting the disposal of money paid in connection with proceedings before Parliament." (Mr. Bowell).

Bill (60) "An Act respecting the Grand Trunk Railway Company of Canada." (Mr. Vidal).

SEAMEN'S ACT.

Hon. Mr. BOWELL moved the second reading of Bill (O) "An Act to amend the Seamen's Act."

He said: This Bill makes but a slight change in the law as it now stands upon the statute-book. It provides that the master of a vessel shall have the same rights as are given to seamen in respect of wages—when the master purchases supplies for the vessel. At present the seamen and the master both have a lien upon the vessel for their wages, but there is no lien upon the vessel by which the master could be secured in the indebtedness which he might incur in connection with the supplies. This slight amendment is recommended by the Judge of the Exchequer Court in order to make the law—in so far as it relates to the seamen and to the shipping on the inland waters as well as on the sea—in accord with the Imperial Statute upon that question. I know that some are of opinion that it is placing too much power in the hands of the masters of running the vessel into debt. I am not aware, nor have I received any information, that abuses have arisen under the Imperial Act which would justify a repeal of the lien which is given. The other Bill on the paper immediately following this has reference to inland waters; hence I refer to it at the present moment. It simply gives a lien upon the ship for the indebtedness which has been incurred, in order to protect the master and those who furnish supplies.

Hon. Mr. VIDAL—That is, properly incurred.

Hon. Mr. BOWELL—Yes, properly incurred.

Hon. Mr. POWER—As the hon. leader of the House says, the amendment makes but a slight change in the wording of the law, but the change in the substance is very considerable, and I should not like, by letting the second reading go without saying anything about it, to be considered as having assented to the principle of the Bill. I presume if so desired one can discuss the principle of the Bill when the motion to go into Committee is made, because the change that is proposed is a very important one; and one as to which very much difference of opinion exists among the people of the Maritime Provinces. I think it would be better, at any rate, if it were allowed to stand till to-morrow—in fact under the rules of our House it should stand over till to-morrow—and then allow members to express their opinions on the principle of the Bill if they think proper. It has been often done before.

Hon. Mr. KAULBACH—I think the leader of the House will agree to the proposal of the hon. member from Halifax.

Hon. Mr. BOWELL—Oh, certainly.

The motion was agreed to.

INLAND WATERS SEAMEN'S ACT

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (P) "An Act to amend the Inland Waters Seamen's Act." He said:—It is not necessary that I should repeat my former remarks, because the principle of this Bill is similar to that of the measure which has just passed the second reading, except that this refers to inland waters.

Hon. Mr. OGILVIE—Before the Bill is read the second time, I wish to say that I have heard some very strong objections to it raised by the owners of boats in inland waters. Many of these vessel owners engage a barge captain, who engages his crew, and takes care of the crew all the way through. Our Transportation Companies say that under this Bill they would have no track of what their indebtedness might be. When the season is through the captain is paid all the wages for the running of the boat, for the supplies and the men; under this Bill the proprietors, after paying the captain, might have a claim made by the people who had furnished the supplies to the captain. Most of our barges in the inland waters are run in the way I have mentioned, and the owners complain seriously of the proposed legislation. They came to me in Montreal last Friday or Saturday and mentioned the matter to me, and I told them that it was the first I had heard about it; I told them they should come here and see about it. I am interested largely in that trade myself, and I know the way in which vessels are run. They hire a captain and pay him so much a month, and he hires the men and boards them. If the principle of this Bill were legalized, it might be a serious thing for the owners of vessels. Most of our captains are French Canadians, and they go on board with their families; the wife supplies everything, and the captain is paid every month. Under this Bill, and after the captain receives all what is due to him, then any one who had furnished supplies, who did not send in his account, would have a lien on the vessel later on—the next year.

Hon. Mr. VIDAL—I think my hon. friend has misapprehended the character of the Bill: it simply says the master of the ship shall have a right to be reimbursed any disbursements he makes.

Hon. Mr. OGILVIE—Any one furnishing supplies.

Hon. Mr. VIDAL—Oh, no; it is just putting the master in the same position as the seamen with reference to wages.

Hon. Mr. OGILVIE—I did not look at it closely.

The motion was agreed to.

TRIAL OF JUVENILE OFFENDERS BILL.

SECOND READING.

Hon. Mr. ALLAN moved the second reading of Bill (P) "An Act respecting the trial of juvenile offenders."

He said:—I am prepared to go on with the Bill, but it was only distributed since the House met, and I do not know whether under those circumstances the House would agree to my going on with the second reading.

Hon. MEMBERS—Oh, yes.

Hon. Mr. ALLAN—The object of this Bill is to provide that the trial of all juvenile offenders under the age of 17 years shall in all cases take place without publicity and separately and apart from the trials of other accused persons, and at suitable times to be designated and appointed for that purpose. At present there is a clause in the criminal code very much to the same effect, but with this important exception that it leaves it in the discretion of the police magistrate or justice of the peace whether or not he will have the trial so held. The wording of the clause as it stands in the Criminal Code, now is, that "so far as it appears expedient and practicable" it shall take place separately and without publicity. The object of my amendment is to strike out that clause and substitute the one in the present Bill, making it compulsory on the Police Magistrate or Justice of the Peace in all cases to try juvenile offenders separately and without publicity. I think hon. gentlemen will agree with me that the system which has hitherto prevailed of young boys and girls under 16 or 17, sometimes mere children, perhaps 12 or 13, being brought up for trial at a police court amongst a number of other offenders much more advanced in years, and some of them pretty well advanced in crime, drunkards and others, disreputable and hardened characters, that this system is a most pernicious one, and that nothing can well be more injurious to the future of these children, or their chances of reformation. Indeed, I can scarcely imagine anything more unwise and injudicious, not to say cruel, than the girl or boy of twelve or thirteen or fourteen years of age, who has been for the first time arrested, it may be on some trivial charge, perhaps some petty larceny or other slight offence, being placed in the dock in the midst of the class of spectators who constantly throng police courts, and in the company of old and hardened offenders, and being tried there publicly. I am quite convinced that very often this public disgrace entails an entire loss of self-respect on the part of the unfortunate boy or girl, and may be the very first step towards the downward course in the path of wrong doing. I think, therefore, that it is most desirable that in all cases, arrangement should be made for holding the trial of these juvenile delinquents without this publicity, and separately entirely from those of older offenders, and this is therefore the object I have in view in the first clause of this Bill. I propose to strike out section No. 550, as it now stands in the Criminal Code, and to substitute this for it. It will then make it obligatory, instead of leaving it optional with the magistrate, to hold these trials for juvenile offenders separately. The wording of this clause is otherwise precisely the same with the original section in the Code. Then as regards the second clause which provides that parents or guardians be summoned before the magistrate to show cause why the boy or girl, if convicted, should not be committed to some industrial school or reformatory, I might explain that in the original draft of the Bill that clause was followed by another clause, and I think a very important one, empowering the magistrate to inflict a fine or some other punishment upon the father or mother of the child, or if the parents were dead, upon the guardian or whoever the child was living with, if it was shown that it was entirely owing to their neglect, or bad example that the child had wandered from the right path, had fallen into evil habits and ultimately had been led to commit the offence for which he was brought before the magistrate.

Upon submitting the draft of the Bill, however, to the Minister of Justice, he thought that the public were hardly educated up to that point and that it would not be judicious to press that clause, and therefore it was struck out; but at the same time I think it would be very desirable to retain this other clause, because I cannot but think that it will have a very wholesome effect if, when these unfortunate children are brought up charged with some petty larceny or misdemeanour, the parents are obliged to attend and to show whether or not it is the result of their carelessness, neglect, or ill treatment or some other causes, that the boy or girl has been lead into crime. I think if the magistrate had power to issue those summonses and oblige the parents or guardians to attend on these occasions, it would often enable him to form a better judgment how to deal with the young offender, and whether it would be better to send him to an industrial school or to a reformatory or punish him in some other way. By the Criminal Code, magistrates have the power to send juvenile offenders under a certain age to these institutions. There are two sections dealing with the subject. One is section 33 which is as follows:—

> Where under any law of Canada, any boy is convicted in Ontario whether summarily or otherwise of any offence punishable by imprisonment, and the court, judge, stipendiary or police magis-

trate by whom he is so convicted is of opinion that such boy does not exceed the age of 13 years, such court, judge or magistrate may sentence such boy to imprisonment in a certified industrial school for any term not exceeding 5 years and not less than 2 years: Provided, that no boy shall be sentenced to any such school unless public notice has been given in the Ontario Gazette and has not been countermanded, that such school is ready to receive and maintain boys sentenced under laws of the Dominion; Provided also, that no such boy shall be detained in any certified industrial school beyond the age of 17 years.

The other is section 956 and is as follows:—

> The court or person before whom any offender whose age at the time of his trial does not, in the opinion of the court, exceed sixteen years, is convicted, whether summarily or otherwise, of any offence punishable by imprisonment, may sentence such offender to imprisonment in any reformatory prison in the province in which such conviction takes place, subject to the provisions of any Act respecting imprisonment in such reformatory; and such imprisonment shall be substituted, in such case, for the imprisonment in the penitentiary or other place of confinement by which the offender would otherwise be punishable under any Act or law relating thereto: Provided, that in no case shall the sentence be less than two years or more than five years confinement in such reformatory prison; and in every case where the term of imprisonment is fixed by law to be more than five years then such imprisonment shall be in the penitentiary.
>
> 2. Every person imprisoned in a reformatory shall be liable to perform such labour as is required of such person.
>
> R.S.C., c. 181, s. 29.

Those are the sections as they now stand. This Bill makes no change in respect to them. It simply gives the magistrate power to summon the parents or guardians to show cause why the boy or girl if convicted should not be sent to one of these institutions. I have introduced this Bill at the instance of the Prison Reform Conference and Prisoners Aid Societies of Ontario, by whom this whole subject of dealing with offenders, but more particularly juvenile offenders, has been taken up and discussed with a great deal of care and earnestness, and a few months ago the Minister of Justice, while visiting Toronto, received a deputation from the associations and had several of these matters laid before him. It is mainly at their instance that I now present this Bill to the House, the chief object being really to provide that for the future the trial of all juvenile offenders shall take place in the way specified in the first clause.

Hon. Mr. POWER—I do not rise for the purpose of opposing the second reading of the Bill, but I wish to call attention to two or three points which I think the hon. gentleman who has the Bill in charge might consider between this time and the time when the House goes into Committee on the Bill. Section 550 of the Code is as follows:—

> The trials of all persons apparently under the age of sixteen years shall so far as it appears expedient and practicable take place without publicity and separately and apart from that of other accused persons and at suitable times to be designated and appointed for that purpose.

Now in the first place I do not see why in this Bill now before us it is proposed to alter the age from sixteen to seventeen. The age of sixteen runs through all our legislation with respect to juvenile offenders, and I do not see why a change is made in that respect. It is liable to lead to confusion. Then, to my mind the section as it stands now in the Code goes quite far enough. The trials of "all persons apparently under the age of sixteen years shall, so far as it appears expedient and practicable, take place without publicity." One can readily understand that there might be a case where it would not be a desirable thing that the trial should be held in private. Under this Bill, if it becomes law, one can imagine a case where a lad between sixteen and seventeen could be tried in secret and sent to prison without having had a proper opportunity to defend himself or without the circumstances of the case being properly understood, and without giving the parents of the boy a proper opportunity to look after his interests. The second provision is to provide that the parent or guardian is to be summoned to show cause why a minor should not be committed. There is, in the existing law, a certain discretion left to the magistrate, but if the second clause of this Bill becomes law there is no discretion left with the magistrate: he has to sentence the boy. In the second subsection it is provided that whenever a boy or girl is charged with an offence, the parent or guardian is to be summoned. I do not see why the clause should be worded in that way. It is time enough when the child is convicted of the offence to call in the parent or guardian, because after all it is a very simple thing to charge any one, either under 16 or over 16, with an offence, and I do not see why the parent or guardian of a child should be liable to be brought into court to show cause why the child should not be taken out of his or her hands simply because the juvenile is charged with an offence. I think it should be done only in cases where the juvenile is convicted.

Hon. Mr. BOWELL—What would be the use of sending for the parent after the conviction has taken place ?

Hon. Mr. POWER—The object is to show cause why the child should not be sent to a reformatory or industrial school. That is the object of calling in the parent or guardian. I do not see why that should be done until the accused has been convicted. This Bill really may have a much more important effect than we contemplate, or than the honourable gentleman who introduced it contemplates, because it is a very serious thing to interfere with the rights of parents in the way in which this Bill proposes to do. Before the Bill becomes law there should be some modification at any rate in the wording of the clause. With respect to the clause which the hon. gentleman said had been inserted in the original Bill, but which has been dropped, I should quite concur in that. If through the wilful neglect or bad example of a boy's parents or guardians he has become a charge on the public, the parents or guardians might be obliged to contribute something towards the expense to which the public have been put to maintain the child in prison ; still, I equally admit that while the principle of the Bill and the object of its promoter are most praiseworthy and desirable, it is a piece of legislation which needs to be carefully scrutinized.

Hon. Mr. BOWELL—Does not the hon. gentleman think the third line from the bottom covers that objection—" If any there be, why such boy or girl if convicted should not be sentenced ?"

Hon. Mr. KAULBACH—I think there is a great deal in what has been said by the hon. member from Halifax, and I hope it will be incorporated when the Bill is in Committee. I do not see why the age should be increased from 16 to 17. It is in the public interest, in some cases, that those juvenile offenders should not be examined and punishment inflicted entirely in private. In country places especially, it sometimes has a cautionary effect on other children that they must not commit similar offences. In cities they should not be sent up promiscuously for punishment with older criminals, but in country places I think the operation of this Bill will not be beneficial to the morals of young children. If other children do not know how such offences are dealt with it will not have the effect of checking and preventing them from committing offences for which they might be punished in the same way.

Hon. Mr. O'DONOHOE—The point raised by the hon. gentleman from Halifax is not, I think, a good one, where he speaks of a juvenile charged with an offence and holds that at that stage there should be no reference to his parents or those standing in the place of parents. Now that is contrary to the usage in criminal cases, with adults as well as with the young ; because when any one is taken in custody, that is the time to aid him and prepare him for his defence. It is not after his conviction, because if convicted there is an end of any assistance to be given him. I certainly disagree altogether with the hon. member when he says that parents and others interested in the juvenile should not be made aware of it as early as possible.

Hon. Mr. POWER—I never said anything of that kind at all.

Hon. Mr. O'DONOHOE—If I misunderstood the hon. gentleman I desire to say nothing further on the subject. I understood the hon. member to say that it was only after conviction that any one should be summoned to his assistance.

Hon. Mr. ALLAN—So far as the age is concerned, I should have no objection myself to making the age sixteen. It was made seventeen at the instance of those interested in the subject, but it did not commend itself to my judgment, for the reason suggested by the hon. gentleman that it is desirable we should have uniformity, as far as possible, in dealing with subjects of this kind. But with regard to making it compulsory and not optional on the police magistrate and justice of the peace to hold these trials separately, I am strongly of opinion that it is human nature to save one's self trouble, and in many instances magistrates may find it is " not expedient or practicable " to hold a separate trial when it is perfectly practicable to do so at the cost of a very little inconvenience, and I would therefore press this provision in the first clause. With regard to the second clause, I certainly—like my hon. friend opposite—understood my hon. friend from Halifax to say that he saw no reason why the parents should be summoned before the child was convicted: whereas, one of the principal objects of that clause is to give every opportunity to the parents or guardians to state any mitigating circumstances to the magistrate, or give a satisfactory reason if they can why the child should not be sent to the reformatory or industrial school, or if it is a first offence to have the child sent back to their charge with a reprimand and a caution as to the future. Not only that, but I wish to throw as much responsibility as I can on the parents or guardians, and to convince them that they will be held responsible, as far as possible, for discharging their duties towards their children. These questions can be still further discussed when the Bill goes before the Committee, but I hope that its provisions, as I have explained them, will commend themselves to the approval of the House.

Hon. Mr. McDONALD (P.E.I.)—I think the Bill in question is a good and proper one, but at the same time the case is provided for under the Criminal Code. This goes, perhaps, a little further, but there is this to be considered—it would be difficult to carry out the provision of the second clause of this Bill in some of the provinces where there are no reformatories or industrial schools to which juvenile offenders can be sent.

Hon. Mr. ALLAN—It says at the end of the clause "or otherwise punished."

Hon. Mr. McDONALD (P.E.I.)—That leaves it as it is at present. In our province, juvenile offenders have to be sent to the common jail, where they associate with the worst classes of criminals and offenders. It is a desirable and necessary thing that there should be an industrial school or reformatory in every province to which juvenile offenders could be sent, and I should like to see the Government take this matter into consideration and establish industrial schools or reformatories throughout the different provinces. That may perhaps be considered to some extent as the duty of the different provinces, but is one of those things which should be undertaken by the Dominion Government itself. Just as they undertake to establish penitentiaries in the different provinces, I think they might establish reformatories for juvenile offenders also. With reference to the second clause of the Bill, which provides that when a boy or girl is charged with any offence the court should summon the parents or guardians, I quite agree with the view taken by the hon. member from Halifax, that it would be sufficient to summon the parents if the offender was convicted. The charge might be made through malice or in error, and in that case the release of the accused would follow as a matter of course, but if there is evidence sufficient to convict the offender it would be time enough to summon the parents or guardians.

The motion was agreed to and the Bill was read the second time.

SECOND READINGS.

Bill (Q) "An Act to incorporate the Canadian Live Stock Insurance Association." (Mr. Perley.)

Bill (41) "An Act to incorporate the Eastern Trust Co." (Mr. Lougheed in the absence of Mr. Almon.)

The Senate adjourned at 5.15 p.m.

THE SENATE.

Ottawa, Wednesday, March 15th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

REPRESENTATION OF VANCOUVER DISTRICT.

INQUIRY.

Hon. Mr. McINNES (B.C.)—Before the Orders of the Day are called, I would like to ask the leader of the Government if a writ has been issued to fill the vacancy caused by the lamentable death of the late Mr. Gordon for the district of Vancouver. I am aware that this is rather an unusual question to put in this House; but as it is a matter of public policy, I think it is quite proper that it should be asked here.

Hon. Mr. BOWELL—I am not aware whether the Speaker of the House of Commons has issued a writ for the holding of an election for the district of Vancouver, owing to the death of the late lamented Mr. Gordon. My impression is that no writ has been issued, but I can ascertain and let the hon. gentleman know to-morrow.

SEAMEN'S ACT AMENDMENT BILL.

THIRD READING.

The House resolved inself into a Committee of the Whole on Bill (O) "An Act to amend the Seamen's Act."

(In the Committee.)

Hon. Mr. BOWELL said: The change proposed by this Bill is simply to add these words to the 59th section of chapter 74, which gives to the master the same remedy in reference to wages as is given to the seamen. The proposition is to add after the words "recovery of his wages" the following: "and for recovery of disbursements properly made by him on account of the ships, and for liabilities properly incurred by him on account of the ship." Then the clause would read this way: "Every master of a ship registered in any of the said provinces shall, so far as the case permits, have the same right, lien and remedies for the recovery of wages and for the recovery of disbursements properly made by him on account of the ship." The attention of the Department of Marine and Fisheries was called to this by the judge of the Exchequer Court, in connection with some question which came before him affecting the right of certain masters of ships. Perhaps the best information I could give would be to read the letter sent by the Exchequer Court judge to the Department. He said:

> As the Session of Parliament is approaching pray permit me to make one or two suggestions with reference to the law respecting a master's lien for wages and for disbursements incurred on account of the ship.
>
> 1st, in the year 1889, the House of Lords, in the case of "The Sara" (14 App. Cas. 209), overruled a number of earlier cases and decided that the Admiralty Court Act, 1861, did not give the master a maritime lien on the ship for his disbursements; and later in the same year the Parliament of the United Kingdom by the 1st section of 52-53 Victoria, chapter 46, gave every master of a ship the same rights, liens and remedies for the recovery of disbursements properly made by him and for liabilities properly incurred by him on account of the ship as a master now has for the recovery of his wages. By the 191st section of the Merchant's Shipping Act 1854, the master was given a maritime lien for his wages and by the 59th section of the Seaman's Act (R. S. C. c. 74), the Parliament of Canada has given the same lien in respect of vessels registered in Quebec, Nova Scotia, New Brunswick, Prince Edward Island and British Columbia. Do you not think it would be well to add to section 59, a subsection in the terms of the 1st section of the Imperial Act, 52-53 Victoria, chapter 46?

The sole object of this Bill is to give the master a lien upon the ship for the supplies which he properly purchases for the use and on account of the ship, and to make it uniform with the Imperial Act as it now stands in the Statute-book. The Minister of Marine and Fisheries, who had given a great deal of consideration to this, concurring in the suggestion made by the learned judge, prepared the amendment to the Bill.

Hon. Mr. POWER—When I first looked at the Bill it struck me that, under the Imperial legislation, the master had not a lien for disbursements, but on enquiring into the matter I found, as the letter from the judge shows, that in the year 1889, an Act had been passed in England giving this additional lien to the master, and I think, whatever our own individual opinions might be as to the advisability of the change, we are pretty safe in following the lead of the Imperial Parliament, and I find that this Bill is, *mutatis mutandis*, a copy of the Imperial Act.

Hon. Mr. KAULBACH—I do not know very much about the Imperial Act but my experience is that masters of vessels have a very great power, and I do not know that any persons in Canada have asked for this enactment. I do not see that the masters of vessels have not sufficient security at present, and I do not think my hon. friend can show that persons interested in shipping consider this change necessary. I would be better pleased if he could show us that, instead of merely showing that the Minister of the Exchequer, or the Judge of the Exchequer Court, consider it advisable. We know that at present masters have very great power; they can pledge the ship for any supplies and necessaries, and surely in a foreign port, where close communication between the master and vessel owners can be obtained, there is no necessity for this. A captain who is abroad can easily make disbursements and excuse himself for them, and they cannot properly be opposed by the owners. I think it is giving too much power into the hands of our masters and I do not see any call for it in this country.

Hon. Mr. HOWLAN, from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

INLAND WATERS SEAMEN'S ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (P) "An Act to amend the Inland Waters Seamen's Act."

(In the Committee.)

Hon. Mr. BOWELL said:—When I introduced this Bill, I am under the impression that I said it gave a lien not only to the master of the vessel for the wages and supplies, but that it extended to the merchants who furnished the supplies. I wish to correct that. It does not—it goes no further than the Bill that we have just passed. I might call the attention of the House, however, to a fear which seemed to have taken possession of some of the forwarders engaged in the trade on the St. Lawrence and Ottawa Rivers. They were under the impression that, in a case where they employed a captain or a master of a barge, paying him a certain sum per month, covering all expenses during the season, that that might possibly render them responsible for any supplies purchased by the master over and above the amount which they had agreed to pay him. They do not object to the Bill so far as it relates to the lake navigation, because there they say they have control over the master or captain of the vessel; that as a rule he is a man of greater responsibility than those whom they employ to take charge of their barges. The plan they adopt is to take some one who is acquainted with the River St. Lawrence and the River Ottawa, and pay him, say, a couple of hundred dollars a month, more or less, with a distinct understanding that that is to cover all the wages of the men required to work the boat and the necessary supplies. The owners have no further responsibility beyond the amount that they agree to pay the master which is to cover all contingencies. In order to satisfy those who are engaged in the trade, I saw the Deputy-Minister of Justice and also the secretary of that Department, and their decision is that this Bill affects them in no way other than the manner in which they are affected now. If they make an agreement with a man to take charge of a barge and furnish all the supplies and hire all the men and pay their wages for so much per month, that their responsibility there ends; but the master, in that case, would have a lien upon the vessel and claim against the owner for the amount which he has agreed to pay him for the month's wages, which I think the House will say is quite correct. No third party could make any collection. After these explanations from the Deputy-Minister of Justice, those engaged in the trade were quite satisfied, but he did suggest to them, as a means of protecting themselves to a greater extent if they thought proper, to make that a part of the bargain—that in the lease, or whatever agreement they made, they should stipulate that they should not be responsible, nor should they pay the monthly allowance until they were satisfied that the men were paid. Capt. Gaskin, who came to Ottawa on behalf of the trade, said that that was the practice now in force—that though they employ the masters by the month for the service I have described, before settling up in the fall they ascertain that all the wages were paid as far as possible. The powers given in this Bill, as far as they affect the inland waters, are precisely the same as those applying to masters on sea-going vessels. The words "Admiralty Court" are left out, for the following reasons given by the learned judge:—

> The Inland Waters Seamen's Act (R.S.C., c. 75) does not contain any provision similar to the 59th section of the Seamen's Act, or the 191st section of the Merchant's Act. It is possible, however, that the masters of vessels trading on inland waters would, by virtue of the 4th section of the Admiralty Act, 1891 (Canada), now have a maritime lien for their wages. As to that I express no opinion, because the question has not come up, and therefore has not been argued, but would it not be well to remove any doubts and make the law relating to the masters' lien uniform throughout Canada by making section 59 of the Seamen's Act and any amendments for the purpose of giving the lien as to disbursements applicable to vessels trading in inland waters.

Hon. Mr. VIDAL, from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

G. T. R. COMPANY'S BILL.

SECOND READING.

Hon. Mr. VIDAL moved the second reading of Bill (50) "An Act respecting the Grand Trunk Railway Company of Canada." He said:—This Bill sanctions an arrangement which has been made between the original Grand Trunk Railway Company and thirteen or fourteen other railway companies, who have entered into an agreement and desire to be amalgamated as the one company, of course guarding carefully all the rights and privileges of those interested. The details of the Bill will properly come under the consideration of the Railway Committee, and from past experience we know that they will be most carefully considered by that Committee.

The motion was agreed to, and the Bill was read the second time.

BILLS INTRODUCED.

Bill (32) "An Act respecting the Canada Life Assurance Company."—(Mr. MacInnes, Burlington.)

Bill (34) "An Act to incorporate the Woodmen of the World."—(Mr. Vidal.)

Bill (62) "An Act to revive and amend the Act to incorporate the Equity Insurance Company, and to change the name of the company to the St. Lawrence Insurance Company."—(Mr. MacInnes, Burlington.)

The Senate adjourned at 3.50 p.m.

THE SENATE.

Ottawa, Thursday, March 16th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THIRD READINGS.

The following Bills, reported without amendment from the Committee on Banking and Commerce, were read the third time and passed:—

Bill (33) "An Act to amend the Act to incorporate the Manufacturers Accident Insurance Company, and to change the name thereof to the Manufacturers' Guarantee and Accident Insurance Company." (Mr. McKindsey.)

Bill (41) "An Act to incorporate the Eastern Trust Company." (Mr. Power.)

OCEAN GUARANTEE COMPANY'S BILL.

THIRD READING.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, reported Bill (46) "An Act to incorporate the Ocean Guarantee Company," with an amendment.

He said: I may explain that the amendment is simply to supply some words which were left out by mistake in the clause which provides where the Company shall conduct business, they forgot to say "in Canada and elsewhere," and those are the words that were inserted. It is not a matter of any moment.

The report was adopted.

Hon. Mr. DESJARDINS moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time and passed.

THE ARCHIVES OF THE DOMINION.

MOTION.

Hon. Mr. BERNIER moved:

That in the opinion of this House it is desirable that the Government of Canada shall forthwith take measures to save from destruction the archives of the administrations which have succeeded each other in the North-west, of the Hudson's Bay Company, and of other associations, as well as all documents or papers in the possession of these associations or of persons willing to yield them up, in so far as these archives, documents or papers may be useful for the history of the country, the making known of its resources, and the establishment of the rights and customs of its people.

He said:—The motion which I offer for your consideration is one that I sincerely hope will commend itself to the unanimous favour of this honourable House. It relates to the archives of the country, a matter in which everybody in my humble opinion, is interested. The development of the natural resources of the country, the fostering of national enterprises, the increase of our productions, the extension of trade and commerce, and the creation of new facilities for transportation are all matters worthy the attention of the Government and of Parliament. We all admire the efforts made throughout the land to increase the material prosperity of the Dominion and we all desire to promote this grand object which is not only important to realize but is of prime necessity. Although these enterprises seem to aim at material and physical wants alone, still a moment of reflection is sufficient to convince anybody that from the successful carrying out of the same must necessarily grow a healthy national sentiment. But these are not the only ways of fostering this desirable and high national spirit; in fact, the history of the country is perhaps the most effective means of stimulating national pride, and consequently, of loyalty to our own Dominion, for the reason that its pages contain the narration not only of the noble deeds of the ancestors, but also the very life of the nation; that is the trial of its literary, scientific, political, judicial, commercial and industrial activity. Such is the importance of history that it forms the basis of social science. No one could thoroughly understand the present, much less the future, if he had no knowledge of the past. Having thus briefly tried to impress the House with the general importance of history, I desire to call your attention more particularly to the history of Canada, or at least to the necessity of collecting and of safely keeping the material which are the fountains from which the historians and the literary class generally obtain their inspiration. The Government is already doing something in that direction, but the question arises in the minds of many—should not a little more be done? I have visited the department where the Archives are kept. Apart from the inadequacy of the accommodation with regard to space, it occurred to my mind that perhaps they were not altogether safe from destruction by fire. There is already a vast amount of historical documents. It would be deplorable if they were destroyed or spoiled to any extent, and it seems to me that we should not delay too much in providing for the safe custody, if not of all, of at least the most important documents and books. Unless special attention is called to such a matter, it is liable to be easily forgotten. One or two facts will illustrate the usefulness of these documents. One of the able gentlemen in charge of that department has informed me that very often they are consulted, even by men engaged in law pursuits, and in some instances that gentleman has been called before courts of justice to establish by means of these documents the legal rights of certain parties to very important estates. A matter which should also, I respectfully submit, engage the attention of the hon. Minister who presides over this department, is whether something should not be done towards re-organizing or rather completing the arrangements of that branch of the service. There are two very able and distinguished gentlemen there whose diligence and capacity are to be highly praised, but they require some assistance. Their work is not satisfactorily progressing, and one of the impediments to which they are subjected is the want of funds. The subsidy to that particular department should be very materially increased; by such action it would be possible to get most valuable documents which are now being scattered, or lying in places where they may be destroyed at any moment. There are in some European cities, a large amount of documents relating to the history of Canada, and I have seen myself thousands of volumes stored in old buildings which could not be saved in case of fire or of riot, which unfortunately may occur in Paris some day or other. I am perfectly aware of the impossibility of getting all these at one time, but it is none the less important to get as many as possible without delay. Coming nearer home, and speaking more particularly about our North-west history, allow me to state that even there, in that distant lone land, history has its attractive and noble records. They tell of the hardihood and of the hardships of LaVerendrye, the discoverer of our great North-west; they tell of Franklin and of his companions, of McKenzie and of his voyages, of Lord Selkirk and of his colony; of which the hon. member for Kildonan, sitting at my right, is a worthy and respected representative. They tell of the fur trade and of the Hudson Bay and of the North-west companies; to the history of which the hon. member for Mille Isle has contributed two valuable volumes, as has also the hon. member from de Salaberry in general matters concerning the North-west. They tell of the exertions of the missionaries to introduce Christianity and civilization amongst the Indian tribes, at one time the kings and the terror of those territories. They tell also of the efforts of the same missionaries to aid in the establishment and maintenance of the authority of Great Britain and of the Dominion of Canada over the prairies. These records are to be found in many places, but most of them amongst the archives of the old council of Assiniboia, and in the Hudson Bay Company's forts. The latter company has been in the habit of keeping in every one of its numerous posts a daily record, not only of its transactions, but also of the events of the time as they occurred. Those records together with the records of the missions, constitute a very important source of information on almost every subject. For instance whenever the idea of building the Hudson Bay Railway takes a practical form, we will find in the records of the company information that could not be obtained otherwise or elsewhere. So trade itself would be benefited by the preservation of those historical archives. From what I have learned, I have reason to believe that these archives are being, to a certain extent, scattered, and will, in part be finally lost. There is no time to be lost if we want to save them. Old folks are disappearing; old forts are also disappearing; Fort Garry is no more; old documents are spoiled and lost, and so our historical sources are liable to be dried out, for want of some effort made at present to preserve them. Very little effort would save these interesting documents now, and put into the hands of our literary and scientific classes new elements and new wealth from which they would continue to enrich our libraries and our minds. We must acknowledge that Canada has not been, until now, over generous towards the literary classes of our population. We are daily confronted with requests, in one shape or another, for state aid; it is our duty to give to those requests proper consideration. Should we not also extend some of our favours to those cultured minds, whose enjoyment is to give out for our own instruction the results of their researches and of their night labours. And here allow me to take this opportunity of referring to a worthy class of our population, I mean the members of the civil service. A large number of them are men of very great distinction, of whose courtesy and knowledge we avail ourselves every day, and who, after having given to the internal administration of the affairs of the country their day work, for a salary not at all excessive, leave their office to indulge without any remuneration, in some literary and scientific pursuits for the benefit of the public at large. For those, and also for outsiders, who delight in such intellectual work, we should do something. I am not prepared to say that the Government should at present follow the example of European countries in allowing public subsidies to the *gens de lettres*, but it seems to me that the least that could be done would be to keep and preserve for them and for subsequent generations the material out of which historical, scientific and literary monuments would be erected to enrich our Canadian home. By doing so, no doubt we would stimulate the intellectual activity of our scholars, and the outcome of their labours would be much more valuable to our rising generations than those foreign books, of which so many are rather poisonous drugs than healthy intellectual food. I may give a sample of the historical documents to which I am referring. I have told you in a general way of the colony of Lord Selkirk, and of the efforts of the missionaries to civilize the far west. Do you know that Lord Selkirk, a noble man and a good Presbyterian, called to his assistance a Catholic bishop? And here is a document which shows that Lord Selkirk in doing so had been very fortunate and well inspired. The letter is from Governor Simpson, of the Hudson Bay Company. It was addressed to Mgr. Taché on the occasion of the death of Bishop Provencher, who went from the shores of the St. Lawrence to the Red River banks at the call of Lord Selkirk, and with the permission of Mgr. Plessis, then Bishop of Quebec:

FORT GARRY,
RED RIVER, June 30th, 1853.

The Right Reverend the
BISHOP OF ST. BONIFACE,
Ile à La Crosse.

MY DEAR LORD,—I have the honour to acknowledge your communication of the 12th January last, on the affairs of the mission of the Roman Catholic Church in these Territories.

Before proceeding to reply to that letter, I desire to place on record a tribute of respect for the memory of that excellent prelate, your predecessor, whose loss we have so recently had to deplore. During a long period, longer than human friendships are usually permitted to endure, it had been my happiness to maintain with that worthy bishop an intercourse, characterized by personal esteem and respect, never, during upwards of thirty years, interrupted either in our official capacities or in our private relations. In his public career he proved himself the friend of order and good government, the promoter of every object likely to conduce to the general welfare, and a pillar of strength to the constituted authorities, ever ready to bear his share of public burdens, in the deliberations of council, as well as in the maintenance of the laws. Of his private worth, the widespread feeling of sorrow at his loss affords a touching proof of his benevolence and liberality, his pious and blameless life had won for him universal esteem ; to myself individually, he was a friend honoured and esteemed, with whom it was ever a pleasure to associate.

Permit me to say, in conclusion, that it is some consolation on this sad occasion, that the late bishop's office devolves on so worthy a successor ; the individual may be changed, but the "Bishop of St. Boniface," it is felt, will continue to be to this colony an example of christian virtues and enlightened views.

(Sgd.) G. SIMPSON.

I certify that the preceding is a true copy of the portion of Sir George Simpson's letter, relative to the lamented Bishop Provencher.

† ALEX., Archbishop of St. Boniface, O.M.I.

This is a noble example given us by men of days gone by, and the recording and circulating of such documents would teach the present and future generations a sound lesson as to the mutual regard which we must entertain for our respective rights, principles and feelings. Imbued with such generous and broad views, and working hand in hand as did those men, we could rely on the future and cherish the hope of being able to build up a united nation, a Canadian home, pure and simple, under the safeguard of the coat of arms which I see over the head of our worthy Speaker, under the flag which floats on the top of these buildings, and from whose waving undulation we all expect protection and fair play. It had been my intention to address the House in my own language also, but as I have detained you much longer than I at first expected, I will close my remarks by expressing the hope that this plea of mine in favour of the national archives will be favourably received by this honourable House, by the Government, and by the hon. Minister who presides over this branch of the service, the hon. Minister of Agriculture, whose literary attainments are on a par with his political ability.

Hon. Mr. KIRCHHOFFER — I take great pleasure in seconding the resolution of my hon. colleague. It is desirable, not only from a sentimental point of view, but also from an economical and utilitarian one, to have the early history of any country or any colony compiled from authentic records. It is of great service to the student of history, the politician, or that large element in a new country, incoming settlers, who are interested in its development. It is most desirable that the student should not have unreliable data or unauthentic archives from which to compile what he is seeking. Unfortunately, the early history of all the great countries of the world have been compiled from records so obscure, from traditions so untrustworthy, that they are in many instances comparatively valueless. Events of not altogether remote origin, but of comparatively recent date, are now so frequently contradicted that we are led to believe many of our most eminent historians must have been, in many instances, romancing and there is an element of truth in the remark made with reference to one famous author, that what he hits is mystery and what he misses is history. Consequently, from time to time some iconoclastic gentleman smashes into fragments our most sacred beliefs and our most treasured traditions. For instance, we are now told that the celebrated words of command attributed to the Duke of Wellington at Waterloo, "Up guards, and at them" were never uttered at all. We are also informed that the famous battle signal under which Lord Nelson entered upon one of the most famous naval engagements of all time was never hoisted at all. We are divided now in our allegiance as to whether the works of the greatest poet the world ever produced were written by Shakespeare or by Bacon, and worst of all, we are told there is absolutely no truth at all in one of the most cherished legends of our childhood —a long way back with some of us—that Romulus and Remus the founders of ancient Rome were suckled by a wolf. Had a resolution like this been introduced in the Roman Senate I have no doubt but that we should find these events all authentically reported in the Hansard of that period, but we do not wish that the records of our country should be treated in any such slipshod manner. We who live in that great North-west are thoroughly imbued with the idea that we have there the centre round which the rest of the Dominion must eventually revolve. If we all agree that it is desirable, and I think we must do so, that the early history of such a country as that, and the record of its early settlement, of the condition of life of its early settlers and people, should be authentically preserved, then I say, the resolution of the hon gentleman has not come one day too soon. Fortunately, I understand some progress has already been made in the direction aimed at. The Historical Society of Winnipeg, under the presidency of Mr. MacBeth, a native of that country, and a member of a large and influential family of early settlers, has been engaged for some time in making valuable collections and interesting researches, and has collected a great deal of data connected with the early settlement of the country. Such an institution as that will be found very valuable in obtaining the information to which the resolution of the hon. gentleman refers and which I have great pleasure in supporting.

Hon. Mr. ALMON—I think the members of this House must feel under great obligation to the hon. member from St. Boniface for having introduced the question of the archives before the House, and it is more especially wanted out in the North-west. About four years ago, when I went over the prairies to the ocean on the other side, I was very much shocked to see the dilapidated state of old Fort Garry—in fact, there was nothing left of it but a gate-way, and that was so shattered that I wonder it has not fallen down by this time by the frost getting into the cracks of it. A very small sum of money—I dare say a thousand dollars—would have repaired it. I went through the old house and asked for the room where the old papers where kept, and was overjoyed to find there was a room full of them. I went into the room, but to my great disgust, I found there was no one in charge of them. The attendant said, "you may take any of those you like," but not being acquainted with the laws of the country, and fearing I might become responsible, I declined to do so. I think everybody will allow that Mr. Brymner is a capital man to be at the head of the office, but he has not a proper place for the archives. I should like to ask hon. gentlemen, how many of you have visited the place. You cannot go down there in the winter without breaking your shins over a number of boxes lying in the dark passage. It is a dingy place, and going there to look over the documents, you are not in a fit state of mind to enjoy them. Why not remove the archives down to the Langevin Block, as it is called? There are very many interesting documents and maps there which we would all like to see. I do not exactly see the connection between the archives and agriculture. I should think the Library would be the proper building for that Department, but certainly the room in the basement of the western block is not the place where they ought to be kept. They should be where they would be accessible to members of the House and where one could go to while away an hour or so looking through the records of the past. I do not wish to deprive the Minister of the office of custodian of the records, but I should like to have them kept in a better place.

Hon. Mr. POIRIER—I beg to congratulate the hon. Senator from Manitoba, who has just spoken, upon the move which he has inaugurated towards having the archives of the provinces preserved and put beyond the possibility of destruction. I simply wish to add that it is also desirable that the same steps should be taken towards the preservation of the archives which concern the history of the other extremity of this country—the Maritime provinces—and it might apply as well to Ontario and Quebec, but I believe and I feel sure that as far as Quebec is concerned, attention and money towards that end will not be wanting. In the Maritime provinces, however, the question has been very sadly neglected. I am aware myself that in Halifax papers were burned twenty years ago the value of which was not known, I suppose, but the value of which was undoubtedly very great as a matter of history. Those papers had been stored in a cellar in the Legislative Assembly, and were either burnt or in some other way destroyed. Some of them were preserved, which are now of great value. Those papers are there and are apt to be destroyed by fire or otherwise, and as there are no other copies of them the destruction would be an irreparable loss. We have in London most valuable papers, of which collection about 400 volumes have been copied, and of which very much more remains to be copied. The state papers, of which about 200 volumes have been copied and much more remain untouched, are also valuable papers for the history of Canada, but pertain more particularly to Quebec and Ontario. Although it is very desirable that the Government should continue to have them printed, they are less exposed than a series of papers to which I wish to refer—the papers relating to the Maritime provinces, Nova Scotia, New Brunswick and Prince Edward Island—which are now in the Department of Marine and Fisheries. They are in the attics, exposed to be burned in any conflagration which would consume the buildings, and those papers are of the greatest value to the history of the Maritime provinces. Now, of all the moneys that have been devoted by the Government here towards having historical documents copied, about five hundred dollars have been employed in copying those papers. I submit, hon. gentlemen, that that is not sufficient. I know of some individual states in the neighbouring republic which devote much more money to securing copies from those archives that are to be found in London and Paris, than the Parliament of Canada devotes to the whole Dominion. That is not commendable, in my idea, on the part of our Government. Some private individuals spend more money for that purpose than the Government of Canada does. We are now laying the basis for a large Dominion in the future and it is very important that the documents relating to Canada in the beginning of its history should be preserved. The written history of the country is a part of the country, and although it has been said "Happy is the nation that has no history," that proverb, I am convinced, was started in schools by pupils who were too lazy to keep up with their classes. The truth of it is that the historical documents of the nation are exceedingly precious, and if we allow them to be destroyed we should be open to very severe censure from the following generation, especially from the historians of future ages who undertake to trace the progress of this Dominion from its inception. Look at what is going on just now. We have Mr. Parkman, in the United States, who has lately been writing about the Maritime provinces putting certain historical personages and facts in a shape that is not at all in accord with the ideas of our historians. He has been in Europe and has got most of the documents to which he refers copied. Our historians are not in a position to answer him, because they have not the means—the documents are not here. Hon. gentlemen, I am glad the question has been brought before the House. I should like to impress upon the Government the necessity of spending more money than they are now devoting to that purpose. The whole of the grant for archives for historical purposes is, I believe, $6,000. Now that is not enough—it is not an adequate provision. The country is not built materially only—it is built of matters that appeal to the intelligence of the people and most certainly the historical records are of that character. I hope the hon. Minister of Agriculture, who is here and who has charge of the documents, will tell us that future appropriations will be increased and that next year a more liberal allowance will be voted. Another matter which I had almost overlooked is this: Our archives are scattered almost all over, as much as they are in any country in the world. We have three deposit vaults, I believe—one in the Privy Council, one in the Secretary of State's Department and the bulk of them in the Department of Agriculture. I believe that state of things should be altered. In my humble opinion they should be placed under the charge of one person who takes an interest in the archives—not simply a person appointed for the purpose of filling a position, but a man or men who are devoted to the subject and lovers of our country, who would exercise care and intelligence in collecting and comparing our archives, in such a way, that when historians visit our archives, they should know where to find them. At present the archives are almost chaos at Ottawa. I forgot to add that a part of the archives is to be found in the Library. I submit the archives should be put under one head, and under one officer, to whom should be given the charge of them, so that our archives would not only be in existence here, but available to historians at large and those who interest themselves in writing the history of the country.

Hon. Mr. ALLAN—I would not venture to take up the time of the House with any remarks of my own on the subject, because one could not hope to add anything to the eloquent appeal made by the hon. member from Manitoba, but I venture to take this opportunity of suggesting that all documents connected with the early history of the country should be preserved with the most scrupulous care and that every precaution should be taken to prevent the destruction of papers such as has been alluded to by the hon. gentleman who has spoken in reference to the early history and settlement of the country: but it is also of some importance that we should preserve the buildings and other things connnected with the early history of the country as well, and I venture to put in a plea, with the hon. gentleman from Halifax, for the preservation of the old gate-way at Fort Garry. When I was last there that gate-way was almost crumbling to pieces. It could be taken down very easily and put up again and preserved as a relic. That is one of the most interesting buildings connected with the early history of the country. I do not know whether it is a matter which comes within the purview of the Dominion of Canada, but it would be a great pity if it should be allowed to be pulled down and nothing be left of old Fort Garry.

Hon. Mr. ANGERS—On behalf of the Government, I may state that I am very much pleased with the resolution that has been moved by the hon. member from St. Boniface, seconded by the hon. member from Brandon. It is very important that the archives of the country should be properly looked after and the sources of our history carefully preserved. The object of the resolution is to induce the Government to secure what historical documents can be obtained in the North-west Territories from the Hudson Bay Company. I may state that since the notice has been given, it has been my intention to direct the officers of my Department to communicate with the Hudson Bay Company and the authorities in the North-west, to ascertain if they are willing to hand over to the Dominion Government for safe-keeping what archives they may have. I hope that this will lead to a favourable result. Should the Hudson Bay Company be willing to hand over to the Government what documents they may have, they may rest assured that proper care will be taken of them here, and that they will be assorted and made accessible to the future historian of the country or any persons interested in consulting them. It has been stated also by the hon. member from Shediac that some attention should be paid to the historical documents of the lower provinces, and that some very important documents had been lost in Nova Scotia. I may say the Dominion Government cannot very well interfere in this matter, because the Local Government in each province has archives of its own. and it is not likely that we could obtain anything from them except permission to duplicate what documents they may possess. In Quebec, as in Nova Scotia and New Brunswick, I believe, the provincial secretary is in charge of the archives of the province, including all the old French documents, patents, letters of French Governors, &c. It is impossible to obtain those, and I do not believe it would be possible to obtain original papers from Nova Scotia and New Brunswick. I dare say the words uttered by the hon. member from Shediac will draw their attention to the matter, if the documents are not now properly taken care of. But at present the Government is applying $6,000 to the collection abroad of information concerning the history of the country. A portion of that money is spent in London in the British Museum in copying the Haldimand collection there, and a portion is spent in France. There are, it is true, important documents in France, which are not kept in a secure place. Some of them are not in fire proof buildings at all. We are doing what is possible with the means put at our disposal by Parliament—$6,000—a portion of which is now being spent in Paris and London.

Hon. Mr. POIRIER—How much is being spent in London and how much in Paris.

Hon. Mr. ANGERS—For the next year about $2,000 for copying in Paris and some $4,000 for the same purpose in London. That includes various items connected with it—printing and other expenses in each place. As to there being proper officers in charge of these archives, I think we can congratulate ourselves in having had so far the services of Mr. Brymner, who has taken charge of the English portion of the archives, and the valuable services of Mr. Marmette, who has been mainly connected with the French portion, and the researches made in France. As to putting all the documents here in Ottawa into one building, I do not know that that can be very easily done. I do not wish to give up anything that I have, and it is pretty much the same with the provincial secretaries—they do not wish to give up anything; and when we walk over to the Privy Council we find that they are not anxious to get rid of anything they have. So that to arrive at a solution of this point is a hard matter; but I know that measures are being adopted in the Privy Council to take proper care of the papers there, and the same course is being followed by the provincial secretaries, and in my own office some improvement has been made lately. The papers that belong to my Department are in two places, in the west block and in the Langevin block; they are in fireproof rooms. At present there is no better place to put them in. I dare say that in the course of time we shall find an opportunity of taking some steps whereby these papers can all be put together. Some reference has been made to the old gate of Fort Garry being preserved as an historical souvenir. For myself, I would be very glad if this could be done, but I do not think the Dominion Government could do anything towards attaining this end. It is local property, which belongs to the Government of Manitoba or the city of Winnipeg —I do not know which, but it is within the jurisdiction of the Government of Manitoba and it will be for them to follow up, and I hope they will act upon the suggestions offered by the hon. members on the other side of the House.

The motion was agreed to.

OCEAN ACCIDENT CORPORATION BILL.

SECOND READING POSTPONED.

The Orders of the Day being called,

Second reading (Bill 39) "An Act to incorporate the "Ocean Accident Corporation."

Hon. Mr. ALLAN said:—I think there is some curious blunder about this Order of the Day. There are two Bills apparently bearing upon the same subject, only one is entitled Ocean Accident Corporation and the other Ocean Guarantee Company. Now I find that on Friday, the 10th March, a message was brought to this House from the House of Commons with a Bill entitled an Act to incorporate the Ocean Guarantee Company. It was read the first time and ordered to be read the second time on Monday next. On Monday this Ocean Guarantee Company's Bill was read the second time and was referred to the Committee on Banking and Commerce; and to-day, as chairman of the Banking and Commerce Committee, I reported on that Bill. When I saw the Bill of my hon. friend on the Orders of the Day I inquired of the Clerk and I looked at the two Bills and found that they were the same precisely word for word, with the difference that one was called Guarantee Company and the other Accident. There is no doubt that there is only one Bill, and that the Bill passed its third reading to-day.

Hon. Mr. DeBOUCHERVILLE—My neighbour, the Hon. Mr. Ferguson, asked me to propose this Bill last week and to put it off till to-day. On Monday I heard him propose this Bill for the Ocean Accident Company. He is not here to-day and I would, therefore, like to withdraw the Bill until he returns. I do not know that there is any hurry about it.

The Bill was allowed to stand until to-morrow.

SPEAKER OF THE SENATE BILL.

SECOND READING.

Hon. Mr. ANGERS moved the second reading of Bill (N) "An Act respecting the Speaker of the Senate. He said: This is quite a short Bill and includes only three clauses. The first provides that if the Speaker of the Senate, from illness or other cause, finds it necessary to leave the chair he may call one of his colleagues to fill it during a portion of the sitting or during the whole day. The next clause provides that when the Speaker is unable to attend, upon information given by the Clerk of the Senate to that effect, the Senate may choose one of its members to fill the chair during the business of the House. The third clause provides that every act done by any Senator acting in the capacity of Speaker shall be as valid as if the same had been done by the Speaker himself You have all felt, especially members who have been here for a long time, that there is very serious inconvenience in not being able to replace the Speaker of the Senate in case of illness, and in not being able to call somebody to preside over the Senate if the sitting is a very long one. I know there is some doubt as to the power of the Senate to adopt this measure. It is not a question which has not been thought of before; but I think that heretofore we have not looked in the right direction for the proper authority to justify the passing of such a Bill as this. From what I can learn, most of the persons who dealt with the question, referred to section 18 of the British North America Act for the necessary power to adopt this measure. I do not think that under that clause the Senate can find the necessary power, but I believe that under section 91, where it is provided that Parliament has the right to make the necessary legislation for the proper carrying on of the business in the government of the country, we can find the power to adopt this Bill. It is stated, of course, and the principle is admitted by everybody, that we have no right to amend the constitution—that is the British North America Act. I admit that. It is quite plain under the wording of the law. But I submit for your consideration that the passing of this Bill in no way amends the constitution. The Speaker of the Senate now is appointed by His Excellency in Council. We do not propose to take that power away from him. He shall always have the power of appointing the Speaker of the Senate. But it is only proposed in cases of urgency, when His Excellency cannot interfere in time to prevent great inconvenience resulting to the public service by appointing another Speaker, that the Speaker in the chair shall have the privilege of calling upon one of the hon. members of this House to take the presidency for the time being, and should he be unable at any time to reach this House, upon a notice being given to the Senate of the absence of the Speaker, that the Senate shall have the power to choose one of its members to fill the chair during the Speaker's absence. Now if this legislation is adopted, it will not in any way amend the constitution in so far that His Excellency in Council may not, if he so choose, appoint a Speaker to replace the Speaker already appointed, since he holds office at pleasure. But meanwhile, when the interference of His Excellency in Council cannot be had at any time, the Senate shall have the power to carry on the business of the country by appointing some one temporarily to fill the Chair. Now, I say that this is not an amendment of the constitution. It does not in any way alter the rights of the Crown. The appointment can always, and will always, be made in the same way. It is done only to provide for an emergency. It is unnecessary for me to cite a case in point of such an emergency. We are now nearing the end of the session. If it should be our misfortune that the President of the Senate should be called away for unavoidable reasons, or on account of sickness near the end of the session, we might be compelled to sit for twenty-four hours, perhaps, or more. The session might be prolonged beyond Easter, and how much longer might it not be prolonged? It is to meet cases of this kind that it is proposed that the Senate shall have the power to appoint some one to replace the Speaker. I believe it is a power incident to the attributes of the Senate. I am quite sure that the members of this House, who have very great experience in this matter, will give the Bill their due attention; and I shall wait with pleasure what enlightement they may throw upon the measure.

Hon. Mr. DICKEY—I congratulate the hon. gentleman and the Government on their courage in dealing with this question, and I quite agree with the hon. gentleman that the necessities of the case demand legislation in this direction, though I confess I cannot agree with him altogether in the reasons that he has given for this proposed change. It may be interesting, perhaps, historically to refer to the circumstances under which we have been placed in situations heretofore of great embarrassment from the want of this legislation. On no less than four occasions since the meeting of this Parliament of Canada for the first time, we have found that difficulty and that embarrassment. That difficulty, I have always understood, arose entirely from the construction of this 18th section of the British North America Act, and I beg to remind my hon. friend that, when that difficulty took place the whole of that Act was in force and included in it was this ninety-first section. Now, for the first time I believe, the ninety-first section has been brought forward as the only ground on which legislation could proceed. It may be interesting in a historical sense to refer to the circumstances under which past legislation in this direction has been taken by this very Parliament, and the authority under which they took that course. My hon. friend has not referred to the Imperial Act passed in 1875 in amendment of this very section of the British North America Act—he has not referred to this as one of the grounds for passing this Act, but expresses some hesitation and doubts with regard to that clause having any relation to the question now before the House. I can well understand that hon. gentlemen who have doubts—and perhaps there are some who have doubts upon the question—will have those doubts very much increased by the position taken by the hon. Minister in asking the House to agree to this Bill, for the reason that I have already stated, that at the time doubts arose as to the power of this Senate to act in cognate cases to this, and these very doubts were created by the fact of section eighteen of the British North America Act being not considered as applicable at all to this question, for a very different reason. What was that section? It was this—that the powers, privileges and immunities of the Senate and House of Commons respectively should be confined to the powers, privileges and immunities which at the time of the passing of the British North America Act were held and enjoyed by the British House of Commons. It was contended then, with a great deal of force, that under these circumstances, as at the time they did not enjoy these powers subsequently acquired, we could not legislate. I should not have risen on the present occasion had it not been my duty to take a part in the long discussions which occurred some twenty years ago, and which forced me to look into the matter, and for another reason also, that I found myself on that occasion in antagonism with the general sentiment of the members of this House, and certainly to a large extent, if not almost entirely, in antagonism to the sentiments of members in another place. This was the state of things when the House undertook to legislate on the question, that is to say, to give additional powers to the Senate and House of Commons which were not given to them by the British North America Act; powers to take evidence and examine witnesses on oath before their committees. That was in the year 1873. In the previous year, 1872, the English House of Commons had acquired those powers; they acquired for the first time the power to examine witnesses on oath before committees, and assuming that to be shown, that they had the power, an Act was passed by the Canadian Parliament on the 3rd of May, 1873, which conferred upon certain committees of the two Houses the same power, under the impression that, because the English House of Commons had acquired it after the British North America Act five years afterwards, this Act was within the competency of this House and was not *ultra vires*. Now that Act was caused by an unfortunate accident which had happened, and a somewhat similar accident has happened since. It was the case that arose in 1872, when the Speaker of this House, Mr. Cauchon, was prevented by a snowstorm from getting to the House at the time to which the House had adjourned, and under those circumstances we were placed in a situation of great embarrassment. I, as one, was called upon to look into it, and we came ultimately to the unanimous conclusion under those exceptional circumstances, and to meet an emergency that we were justified in meeting, and adjourned to meet at a future time. Then came this Act of 1873, and on that occasion I had the misfortune to stand somewhat alone, although I was supported by one or two hon. gentlemen in the contention which I made, which was that the Act was *ultra vires* of this House, inasmuch as it conferred a power which was not given to us by the British North America Act to legislate upon. The then Minister of Justice, our late lamented friend, Sir Alexander Campbell, hesitated and expressed some doubts, but he urged on the House to pass the Bill. The leader of the Opposition then, a gentleman who was well acquainted with the senior members of this House, the late Mr. Letellier, spoke of the objections made to the passing of the Bill as being senseless. Well, a short time sufficed to show that hon. gentleman the value of that criticism, because within two months afterwards that Act was disallowed by the Queen as being *ultra vires*. On the first day of July, 1873, that Act was disallowed on the advice of the law officers of the Crown, and the Imperial Parliament within two years afterwards, in the year 1875, passed an amending Act, which is before me, and which I will read if it is necessary, to remove those doubts and to give us the power which we then claimed. That Act is to be found in the appendix to the rules and orders of this House, entitled "An Act to remove certain doubts with respect to the powers of Canada under section 18 of the British North America Act of 1867." After reciting those doubts, it enacted that the privileges, immunities and powers held, enjoyed and exercised by the Senate and by the House of Commons should be such as are from time to time declared by Act of the Parliament of Canada, but shall not confer any privileges, immunities and powers exceeding those at the time of the passage of such Act held and enjoyed by the House of Commons of England. That gave us the power we claimed, and I ought to say, before passing on, that in another clause of this Act this disallowed Act was re-enacted by the Imperial Parliament. But as those Acts only gave power to administer oaths by certain committees, not to all committees, the Parliament of Canada, in the year 1876, within twelve months after this amendment of the British North America Act, passed an Act which extended the powers to taking evidence and administering oaths before all committees of the Senate and House of Commons. The question under the amending Act again came up in 1885, and the Parliament of Canada proceeded further in the same direction, and having got those extended powers by the amendment of the British North America Act, they passed an Act providing for the emergencies to which my hon. friend has alluded with regard to the absence of the Speaker of the House of Commons; because although there are certain powers given by the British North America Act—I think about the 47th section of the Act—and although it enabled the House to provide for that emergency where the Speaker was absent, it was only for the period of forty-eight hours and there were still the emergencies to which my hon. friend has alluded, of the Speaker being struck down in the performance of his duties in the House and becoming unable to remain there, and so on, or his being unavoidably absent and the House being informed by the Clerk that the Speaker was unable to attend. The Act to which I allude, passed in 1885, provided for both these emergencies with regard to the House of Commons in the same way and on the same lines as the Bill which my hon. friend has presented to the House; that is to say, where the Speaker was suddenly taken ill he should leave the Chair and put another in his place for the day; that provides for the case which is proposed to be provided for by the first clause of this Bill, and with regard to the second clause when the Clerk of the House informed the House that the Speaker was unavoidably absent, prevented from being present, then another member should take his place temporarily. They have the convenience of having a Chairman of Committees of which they could avail themselves, and made use of that officer and called him a Deputy Speaker. Although this Bill proceeds upon the same lines, we do not propose in this Bill, as I read it, to interfere in any way with the appointment or the removal of the Speaker, by the Governor-General. We propose simply in an emergency like this that the House should be in a position to put a member in the chair, who should act for the remainder of the day. Under the 2nd section of the Act, where the House was informed that the Speaker was unavoidably prevented from being present they could provide also for that emergency. This being the case, it was apparent that the House proceeded upon the amended British North America Act with regard to those contingencies, and with regard to their legislation they had the power to proceed under that amended Act. We proceeded in the case, as I have spoken of Mr. Cauchon, in 1872 upon the idea that he was unable to be present, but we had no precedent then to guide us and we had to fall back upon the inherent right which prevails in every deliberative body of meeting an emergency of that kind by adjourning, by not proceeding to do business, because the Act says the Speaker must be in the Chair, simply by unanimous consent adjourning until a future time. We followed that course in the case of the death of Mr. Plumb in 1888, when he was struck down and could not be here. We met on the adjourned day, and we had to take that course again until a new Speaker was appointed. In the case of the present Speaker, something occurred at one time which, I hope, will never happen to him again: he was prevented by serious illness in his family, and I believe by snowstorms, from being in his place, and on two occasions we had to adjourn the House to meet that contingency until his return. Now, at that time it was thought that we could not do any business, and the result was that for all purposes of legislation there was a deadlock. It is to meet such an emergency that this legislation appears to me to be necessary. I quite agree, as regards section 91, that it proves most conclusively, in conjunction with the amended Act, that we have the power.

Hon. Mr. POIRIER—What section of the Act do you rely upon specially?

Hon. Mr. DICKEY—The 91st.

Hon. Mr. SCOTT—And 18.

Hon. Mr. DICKEY—"It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order and good government of Canada, in relation to all matters not coming within the class of subjects by this Act assigned to the Local Legislature." This is a general provision which has been acted on in the Privy Council in decisions which have been given since, uniformly recognized, and I quite agree with my hon. friend that if there was any doubt as to the applicability of the amended Act, passed in 1875, section 18 of the British North America Act, this section would apply. If this power given by section 91 is intact, we would be justified, even under that section, in acting upon it, but I thought it would be right in a matter like this that we should know exactly how we proceeded in past times and the precedents we had had, and I think I have satisfied the House that it was more than a matter of doubt whether we had any right to pass the oaths Bill in 1873; it was established beyond doubt that we had no right to proceed under that 18th section, and that section was amended for the purpose of enabling us to exercise our powers, privileges and immunities in the Senate and Commons—the most comprehensive words that could be used, that we should have all those powers, and we now propose to exercise them.

Hon. Mr. POWER — Would my hon. friend allow me to ask him one question? Why, if the view taken by the hon. gentleman is correct, would not we have the power under section 91 to have done what we had not the power to have done previously, that is just as necessary as this?

Hon. Mr. DICKEY — I have already stated candidly to the House that that was one of the points on which I differed from my hon. friend the Minister of Agriculture. I do not rely upon section 91 exclusively, but it confirms a power which I consider this House has had by the amended Act, which gave those powers subsequent to this enactment, and which I should think would leave no doubt upon the minds of any hon. gentleman that taking the two Acts together we have undoubtedly power, but when this question was up before, I have already mentioned that the then leader of the House, the Minister of Justice, the late Sir Alexander Campbell, stated frankly that he had doubts about the power of the House but he added, as I wish to add to-day "we can do no harm in passing this Act; we can bring the matter to a head and get the power in some way or another," and of course he had too much tact to refer to the probability of an amended Act, but he said in some way or another we will get this power. Well, it turned out as we expected, and in consequence of that I did not divide the House on the question, although I expressed myself very strongly that we had no power and it resulted as I expected; the law officers of the Crown at once promptly decided that it was *ultra vires*, that we had not the power under the 18th section, but they advised legislation which took place by this amending Act, within two years afterwards for the purpose of giving us that power; the whole difficulty arising, as I hope I have explained, from the fact that the British North America Act only conferred the powers enjoyed by the House of Commons at the time of the passing of that Act in 1867, and the amendment extended those powers to the powers enjoyed by the House of Commons at the time of the passing of the Act in question. Under those circumstances, therefore, I think the House, for the sake of its own character and to place itself in a proper light before the country and to avoid the very embarrassing difficulty which my hon. friend the Minister of Agriculture has suggested—of being caught at a critical period of the session with no power to do business—that we should take this course, and if the result should be, as I hope it will not be, and as I think it will not be, that the law officers of the Crown who advise Her Majesty, should say there was a doubt about these things, that doubt would be removed by another amendment to the British North America Act, which would come from England, and will not be at our asking but, as it was in 1875, it will be the suggestion of what was right and proper to enable the Senate to perform its legislative functions as a constituent branch of Parliament. Under these circumstances, hon. gentlemen, I think the House would be justified in passing this Act, and whether I am right in my contention or whether it is put exclusively upon the power given by section ninety-one is a small matter; it is quite sufficient, it is a power which we ought to have, which of necessity should belong to us, and we owe it to ourselves to put ourselves in a position to get that power.

Hon. Mr. GOWAN—This Bill was only distributed on Monday. Since then I have been very fully occupied, with other duties, and I was interrupted also by indisposition. I can do little more than call attention to some points which disturb me, raise a signal of caution and urge that we should move slowly in this matter, certainly not without ample consideration. I do not present my disjointed observations as full argument or all that might be said on an important question of this kind. I can do little more than call attention to the salient points. The question is a difficult one, involving matter of construction and constitutional capacity, and demands a fuller investigation than could well be given in a large deliberative body. It is a matter upon which experts are not agreed and the facts bespeak additional caution. As I said, I shall only be able to indicate some salient points that occur to me, but though they may not be presented in the most orderly manner or argued out properly, my hon. friend and legal leader will not pass them by, for his character as an honourable courteous gentleman and accomplished lawyer has preceded him to this House, and his manner of life for at least seven years in a calm atmosphere will have shown him the duty and the importance of weighing all that can be said, where there is a conflict of opinion. It is a serious matter to meddle with the British North America Act except upon cogent grounds, and never should it be attempted, unless the authority to do so is clear. Some alterations in the British North America Act were made and sanctioned by the Imperial Parliament; a doubtful exercise of power by the Parliament of Canada, was healed or confirmed, but never, so far as I am aware, has the substance of the machinery for legislation been touched. I look with apprehension on any attempt to do so. I am free to admit the Bill aims at remedying a practical inconvenience, that has occurred in the past, but very serious difficulties were at these times obviated within the lines of the constitution. Here there is no pressing urgency and certainly none for action, as some contend, by arrogating powers not ours. The session is almost at a close, and if any emergency arose such as occurred in Mr. Speaker Macpherson's time it might be met in the way then adopted So far as I am informed all precedent is against it, as hon. gentlemen will see by examining the records. In 1869, in consequence of the "necessary temporary absence" of Hon. Mr. Cauchon, Hon. John Ross was appointed Speaker by Royal Commission. Sir Alexander Campbell explained that the appointment was a temporary one; and no debate took place. Here is no precedent for this legislation. But the inconvenience of the situation was so obvious that a Bill was introduced. Accordingly on 17th of May, Sir Alexander Campbell introduced a Bill to enable the House, with the permission of the Governor-General, to appoint a Speaker temporarily; and to enable the Speaker to name some one to occupy his place when he left the Chair. Sir Alexander said he had considered the question and was persuaded we had the power to pass the Bill. The Bill was subsequently withdrawn to give time for the consideration of many and serious objections that were made. Here is no precedent for this legislation. In 1872, in consequence of an accident to the train the Speaker was detained. The House took the matter into its own hands and appointed the Hon. Mr. Hamilton chairman; who took the chair and adjourned the House. No debate took place on the occasion. In 1880, Sir David Macpherson was taken ill after the opening of the House, and the beginning of the debate on the Address. The House took no action. There was no debate on the subject. Hon. Mr. Botsford was appointed by Royal Commission during the adjournment, in the temporary absence of Sir David Macpherson. Here is no precedent for this legislation. In 1888, Hon. Mr. Plumb died suddenly while he was Speaker. On the meeting of the Chamber, it was duly moved and seconded that Hon. Mr. Ryan take the Chair, and an adjournment was ordered unanimously. A debate took place on this occasion. Hon. Mr. Dickey expressed the opinion that the House had the power of appointing a Deputy-Speaker till the Crown appoints another Speaker, *i.e.*, when there occurs a sudden vacancy in the Senate speakership. But in the end the House adjourned "by consent." That is really the history of what has taken place in the past, and certainly there is nothing in it to show any precedent for this Bill. The first consideration that presents itself to my mind is the fact that ours is a written constitution, the Government of Canada being one of enumerated powers, the British North America Act being the instrument that specifies them, and wherein authority should be found for the exercise of any legislation it assumes the power to pass. The whole frame-work of our constitutional Act is the creature of an Imperial statute. While the power of the Imperial Parliament is practically unlimited and absolute even to changing the constitution, our power is limited and restrained by the instrument—our written constitution, and especially it seems to me in all that pertains to any integral part of machinery devised for legislation, where power is not plainly conferred, the exercise of it is impliedly prohibited, I must think, for the intent of the grant would otherwise be defeated by such exercise. What the true intent and meaning of the British North America Act is, so far as it touches this Bill, it will be proper to consider, in the light of recognized rules of construction. I take it the prime object should be to ascertain the meaning of the Legislature, and the rule seems to be applicable with special force to a written constitution, not to attempt to interpret that which needs no interpretation, but to take the whole statute together to arrive at the legislative intent. The preamble to the British North America Act recites that it is "expedient not only that the constitution of the legislative authority in the Dominion be provided for, but also that the nature of the executive government therein be declared." Section 9 enacts that "the executive government and authority over Canada is hereby declared to continue and be vested in the Queen," and section 14 appears to be in keeping with and subsidiary to this provision. Section 17 deals with the legislative power providing "there shall be one Parliament for Canada consisting of the Queen, an Upper House, styled the Senate, and the House of Commons." Then comes the provision touching the Senate (sec. 21 to 31) in relation to its constitution, the qualification of Senators, how summoned, the tenure of office, who may be appointed Speaker, the number necessary to a quorum, and other particulars. And so with regard to the House of Commons, and the members to be elected, &c., &c. (37 et seq). Followed by the provisions (55 et seq.) as to the Royal Assent to a Bill passed by both Houses. One Parliament for Canada, consisting of the Queen, the Senate and the House of Commons—clear and detailed provision as to both Houses. Sec. 34 is the provision for a Speaker necessary to the completion of the Senate. It reads as follows:—

"The Governor-General may from time to time by instrument under the great seal of Canada appoint a Senator to be speaker of the Senate, and may remove him and appoint another in his stead."

Nothing here is obscure, nothing that needs interpretation—the power to appoint a Senator and the power to appoint a Speaker given in the same terms (see secs. 24 and 34), the executive and prerogative authority of the Queen being brought in play in both cases, as provided by the Act. Nothing is said as to the appointment of a Deputy-Speaker for the Senate, no provision for a *locum tenens*, the power of removal and the power of appointing another Speaker in his stead, however, being provided for. How marked the difference in respect to the Speaker of the House of Commons. There is an essential difference: In the case of the Senate his appointment is by the Crown, in the case of the Commons provision is made for the election of one of its members as Speaker (sec. 44). For the Senate neither a Deputy-Speaker nor a *locum tenens* to act as such is provided for or appears to have been contemplated. While in the case of the House of Commons, detailed provision is made in sec. 45 in case of vacancy by death, resignation or otherwise, in sec. 34 the Governor is to appoint a Speaker to the Senate and may remove him and appoint another in his stead. Sec. 47 gives Parliament power to provide "in the case of the absence of the Speaker of the Commons from the Chair," in the absence of any such provision the clause enacts that the House may elect another of its members to act as Speaker during the absence of the Speaker, &c.

The two bodies, the Senate and the House of Commons, both branches of Parliament, have like duties to perform—both are to operate presided over by a Speaker—but while in the case of the Commons, the right is given to appoint an acting Speaker, in the Senate is deliberately withheld. Surely it is a reasonable conclusion, that in the case of the Senate it was designed to confine the appointment to a member selected by the Governor-General and by him alone acting as Her Majesty's representative and such a construction is in accordance with the letter as well as the spirit of the Statute, and leads to no absurdity. The Act of Parliament designates who may be the depository of the powers and privileges of Speaker of the Senate viz: an appointee of the Governor-General under the great seal—and in confining it to such depositary the constitutional act impliedly prohibited it being exercised by any other. It is a trust for a public purpose, which cannot be assigned, I think; otherwise the security to the appointing power is lost. Let us look at some other provisions in the British North America Act—section 14 and as to the duties and functions of the Governor-General. Special authority is given to him to appoint a deputy for certain necessary purposes (possibly some His Excellency might appoint without express enactment), but express authority was given and it operates as a limitation. Now, many of the powers and functions, demand no ability and little discretion, *e.g.* writing a name —filling in a form—or a nod of the head—surely it may well be thought, in the case of the Senate, that the omission to provide for a *locum tenens* to perform the duty of the Speaker was of deliberate design. Power is given to Provincial Legislatures to alter their constitution, but I have sought in vain for any authority or power to alter our Constitutional Act. If existing, where is it to be found? And further, let it be borne in mind the proposed Bill touches the prerogative and appointing power in enabling the Speaker of the Senate to appoint a presiding officer for the Senate, with the powers, privileges and duties of a Speaker—and the Bill proposes to validate his every act. Now, every one knows the prerogative is not to be prejudiced or taken away without clear enactment, involving the assent of Her Gracious Majesty, and the rule of construction is in accordance with our highest and best sentiments. The prerogative is part of the band that unites us with tender clasp to the dear old land—that unites us Britons beyond the sea, to the greatest Empire the world has ever known. I ask where is the power to be found in our Constitutional Act to alter an integral part of the constitution—the Senate—in the machinery for legislation? Is it to be found in section 18 as alleged? I think not. The context and the subject-matter in view forbid it. The power is given to each House respectively to secure freedom of speech, to prevent disorder, to punish inside and outside offenders for contempts in certain cases, to make inquiries and other kindred subjects that might be mentioned, but it does not touch a matter of this kind. My hon. friend seems to build on this frail foundation. For my part, in looking at it, I could scarcely think of any even plausible argument, anything that could be laid hold of with sufficient firmness even for the purpose of discussion. Then comes the point—and it seems to me the only point—under the 91st section, and I am not surprised that my hon. friend should take the view he does; it is the only possible foundation which occurs to me for advocating the cause of legislating in the manner proposed by this Bill. The suggestion is that under the general terms there is general power to make laws for the peace, welfare, and good government of Canada, but I must say that I think, as at present advised, it is a very forced construction to regard it as supporting this proposed measure. The Bill relates to the construction of the Senate, and how it may hereafter be composed. The Senate cannot act without a presiding officer, and the Bill relates to the composition of the Senate, how it shall be made complete in case of the absence of the Speaker. Now, what does the 91st section provide? It deals altogether with matters foreign to the aim and purpose of the Bill before us. The clause 91 gives a detailed enumeration showing what was in the mind of the Legislature in using the term "peace, welfare and good government of Canada" and that is the point we are to arrive at,—What was in the mind of the legislature in passing this Act? What in using the terms peace, welfare and good government of Canada? Not the machinery for legislation, or any part of the constitution itself. Had it been so intended I take it that apt words would have been used judging from other provisions of the British North America Act. We find in the body of the Act the whole of the details entered into, and a full enumeration of the classes of subjects in respect of which Canada is empowered to legislate. The words, "for greater certainty but not to restrict the generality of the foregoing terms," have an intimate connection with the specified clauses. I take it that the general words, apart from subjects which affect outside general interests, can only cover a matter of a kindred character to the matters enumerated, and this view, it seems to me, is strengthened by reference to the first item in section 92. Hon. gentlemen will remember that section 91 provides as to the power of the Dominion: section 92 is as to the provinces, but both sections are intimately and closely connected. Section 92, No. 1, gives power to Provincial Legislatures to amend their constitution in a general way, excepting only the office of Lieutenant-Governor.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. GOWAN.—Well, upon the principle that the expression of one thing excludes another, I think it is fair to infer that if such power was intended to be given it would be expressed. The argument for an absolute and uncontrolled power, under the terms "peace, order, welfare and good government of Canada," pushed to its legitimate conclusion might be used in a way that would tear our constitution into rags, as well as neutralize the Royal authority.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. GOWAN—Where then, I would again ask, is the power to be found—the express power given to appoint a presiding officer for the Senate and appoint another in his stead? Nowhere. Strength is lent to this view by section 35 which reserves to Parliament the power to deal with the question of a quorum. Then section 36 is not without importance seeing that it enacts that the Speaker—that is, the Speaker appointed by the Governor-General, by the Crown, under the great seal, shall in all cases have a vote with other members. All this may be very tedious, but it is impossible to arrive at a just conclusion without going into particulars in considering the proper construction of the British North America Act. It is quite evident our Upper House is modelled in many particulars after the House of Lords, and when convened in Parliament it forms with the Commons the Legislative Assembly by whose advice, consent and authority with the sanction of the Crown are all laws made. It is given a separate and independent position, the Speaker has no casting or double vote, on equality the question is decided in the negative, but other attributes of the House of Lords we cannot claim, though we follow somewhat the practice of that august body. The House of Lords has inherent and independent rights from the free constitution of the House of Lords. Now, in England, the Chancellor, or the Lord-keeper, is the Speaker of the House of Lords *ex officio*, and he may or may not be a member of that House. My hon. friend will remember many instances in which a commission was issued appointing to the House of Lords judges who were not peers, and that not very many years ago; but I may say the Speaker of the House of Lords *qua* Speaker has no more power than our Speaker, though if he happened to be, as he generally is, a member of the House of Lords, he can at the proper times exercise the duties and functions of a peer. It is laid down that the Speaker *qua* Speaker is a ministerial, not a deliberative officer, though as a peer, as I said before, he has a right to vote. Our power to make rules is merely an incident. We have no prescriptive or inherent authority; all we possess is within the four corners of the Constitutional Act. Well, a difficulty that occurred here in the past, as any one can understand, is liable to occur at any time; in England how was it obviated? Not by allowing the House of Lords to exercise its inherent power of electing a Speaker. It is provided for in this way: The Queen issues a Royal Commission appointing one or two or three—in some of the later commissions as many as three have been Deputy-Speakers.

Hon. Mr. ANGERS—Four.

Hon. Mr. GOWAN—Four on one occasion, it is now suggested. I remember three in a single Commission. In the absence of the Chancellor any one of these, usually by arrangement among themselves or according to the order of precedence, acting for the Chancellor, but the very moment the Chancellor comes in he takes the Chair, and if none of the Deputy-Speakers are present, the Chancellor be absent and the House acts on its inherent prescriptive right and appoints a member to act until one of those authorized by the Crown enters, and the moment he enters he takes the Chair. Now, the formal appointment made by the House of Lords springs from their inherent power, from time immemorial, and it must have been in the contemplation of the Legislature that no inherent power could be found under the written constitution, and the clause in the British North America Act, 34, confines the appointment strictly to the Crown. Our power must be derived under the written constitution or it does not exist. I ask the House why it was not given in our constitution to appoint a Deputy-Speaker, and the answer seems to me quite plain—because designedly withheld. Even in

England the Speaker of the House of Commons when he is elected must be approved by the Queen, and we go through very much the same ceremony here with the Speaker of the House of Commons, although practically approval it is never withheld, but the rule and principle of the supreme authority of the Crown remains. This Bill, if it became law, gives us a prolocutor appointed by the Speaker or by the Senate with all the powers and privileges which the Queen's Commission confers on a Senator appointed in the manner prescribed by the Constitutional Act. An important duty and trust for a public purpose, I must believe, cannot be assigned to one whom the Crown has not constituted. Let me say a word further: The matter is of a nature that His Excellency the Governor-General may feel bound to consider it his duty to reserve, and it seems our duty to give all the aid possible in considering the point, and that we should have the amplest discussion to throw as much light on the subject as possible. Doubtless His Excellency would receive the opinions of the law officers of the Crown in Canada, that the several Bills submitted are right and constitutional, but if I am not mistaken, His Excellency would not be bound by that, and he might reserve this Bill, and he might send it over for the opinion of his Government, and they doubtless would take the opinion of the law officers on the subject; and therefore I say it is very proper that the fullest inquiry should be made. I am sure there can be no desire on the part of any one to arrive at any other conclusion than that which is right in this matter. In any case it would certainly not be pleasant if any Act passed here was sent back disallowed; it would be an unpleasant thing, and I certainly would not like it. Now, while I agree that some provision might be desirable to obviate the inconvenience, if it arises, of a temporary vacancy in the Chair—I think it ought to be done and would like to see it done in a constitutional way, and I think that the method by passing this Bill would not be a constitutional one. Suppose the Imperial Parliament was applied to, after going through the proper and constitutional ceremony for doing so—I do not know how that could be done exactly.

Hon. Mr. BOTSFORD—By an address from both Houses.

Hon. Mr. GOWAN—By addressing both Houses perhaps: either suggesting an alteration that would fit the case, or it might be referring to some tribunal, which would consider and pass upon the constitutionality of the proposed measure; but something should be done where there is really a doubt. I would like to remedy it if it could possibly be done here, but I will not and cannot lend myself to anything that I believe to be entirely unconstitutional. Now, I am not sufficiently familiar with the rules and procedure in Parliament, with the parliamentary practice, to know how and in what manner my hon. friend, if he desired, could retain the matter before the hon. gentlemen in this House and discuss it quietly with them. If he could do so under the rules I think it would be a wise thing. There are no less than three ex-Speakers in this House. My hon. friend from Richmond, a gentleman thoroughly versed in constitutional precedent and in parliamentary procedure. My hon. friend opposite from Ottawa, an old experienced parliamentarian, and one whose opinion I respect—I respect as much as any one in this House. Then we have my hon. friend from Toronto, who has occupied a place from the very inception of the Senate, and then we have the hon. gentleman from Sackville, an old and experienced member, the Nestor of the House, and who came here as a Speaker, and we have my hon. friend from Prince Edward (Hon. Mr. Howlan), and a number of other gentlemen on both sides of the House, who have made a study of the subject. I think my hon. friend could take a method of arriving at it by appointing a committee to consider the matter. I really think it would be more satisfactory to the House and country, and perhaps would result favourably; but the difficulty I see is this: if the Bill is read a second time and referred to the Committee, we would be adopting it to some extent, and I could not consent to the second reading of the Bill; but there are methods by which parliamentarians could provide for a friendly conference with regard to this measure; we aim only to do what is right, to arrive at the truth, and in whatever way brought out we want the truth, by some means or other. I earnestly appeal to my hon. friend the mover of the Bill to give his best consideration to the proposition, and to hasten slowly in such an involved and vital matter.

Hon. Mr. VIDAL—I think it is consulting the convenience of the House if I move the adjournment of the debate till tomorrow.

The motion was agreed to.

THE PRINTING OF PARLIAMENT.

MOTIONS.

Hon. Mr. READ moved the adoption of the first report of the Joint Committee of both Houses on the printing of Parliament.

Hon. Mr. KAULBACH—I was not present when this was explained ; what is it ?

Hon. Mr. READ—It will be found at page 162. Routine work of session, $10,000 ; annual report, $40,000 ; farm and dairy reports, $12,000 ; binding, $5,000. In all, $75,000. I may say that in the other branch of the legislature this was concurred in yesterday.

Hon. Mr. POWER—I would like to make one observation with respect to this report. I think that Parliament is dealt unfairly with in being charged with the printing and binding of departmental reports, representing a larger expenditure than Parliament is fairly responsible for ; and it represents the expenditure of the various departments as being less than it really is. The fair way would be to class the printing of the reports as part of the departmental expenditure.

Hon. Mr. KAULBACH—It is generally asked for by members of Parliament—the extra printing is generally asked for and authorized by the committee itself.

The motion was agreed to.

Hon. Mr. READ moved the adoption of the 3rd report of the joint committee of both Houses on the printing of Parliament. He said :—This report merely recommends that leave of absence be given to one of the officers and also the payment for some articles supplied to different members of Parliament amounting to $252, and recommends that it be not provided in future.

The motion was agreed to.

SECOND READINGS.

Bill (40) "An Act to incorporate the Canada North-west Land Company (Limited)." (Mr. McKindsey.)

Bill (59) "An Act to incorporate the Canada Carriage Company." (Mr. Read, Quinté.)

Bill (32) "An Act respecting the Canada Life Assurance Company." (Mr. MacInnes, Burlington.)

BILLS INTRODUCED.

Bill (56) "An act to revive and amend the Act to incorporate the Moncton and Prince Edward Island Ferry Company." (Mr. Poirier.)

Bill (68) "An Act respecting the Columbia and Kootenay Navigation Company." (Mr. Power.)

Bill (67) "An Act to revive and amend the Act to incorporate the North Canadian Atlantic and Steamship Company." (Mr. Casgrain.)

Bill (R) "An Act further to amend the Act respecting Canned goods." (Mr. Bowell.)

The Senate adjourned at 6 o'clock.

THE SENATE.

Ottawa, Friday, March 17th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THIRD READING.

Bill (53) "An Act respecting the Alberta Railway and Coal Company." (Mr. Lougheed.)

PORT ARTHUR, DULUTH AND WESTERN RAILWAY COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways Telegraphs and Harbours, reported Bill (48) "An Act respecting the Port Arthur, Duluth and Western Railway Company" with amendments. He said :—This company is operating in connection with various tracts of mineral ore extending for some distance into the adjoining State of Minnesota. In that State there is another company incorporated by the same title. The object is to enable them to work these mines and convey the ore to Port Arthur. This Bill gives the company power to lease and make traffic arrangements with two companies that are incorporated in the State of Minnesota, one bearing the same title as this Company, and the other being a company known as the Duluth and Iron Range Railway Company. The first amendment is to include another railway company, also in the State of Minnesota, making three companies incorporated in the State of Minnesota with which this Bill would authorize the company to make traffic arrangements. The committee could see no objection to this addition, as they are all working to accomplish the same, or in the same line—conveying these mineral ores to Port Arthur.

Hon. Mr. CLEMOW moved that the amendment be concurred in.

The motion was agreed to.

Hon. Mr. DICKEY—The next amendment is a consequential one—that is to say, its object is to enable the company to make arrangements with one or more of these three companies.

Hon. Mr. CLEMOW moved that the amendment be concurred in.

The motion was agreed to.

Hon. Mr. DICKEY—The next amendment was rendered necessary by the fact of including this additional company. The amendment strikes out the words which confined it to two companies and extends it to the three companies. It is simply a consequential amendment for the purpose of making it plain that this company can make arrangements with the three companies in the State of Minnesota, or any one or more of them.

Hon. Mr. CLEMOW moved that the amendment be concurred in.

The motion was agreed to.

Hon. Mr. CLEMOW—The last amendment enables this company, as the interests of the four companies will be closely identified, to acquire debentures and guarantee payment of its indebtedness. It seems to follow as a matter of course that they should have such a right in order to carry on the business.

Hon. Mr. CLEMOW moved that the amendment be concurred in.

The motion was agreed to, and the Bill was then read the third time and passed.

TRANSMISSION OF TIMBER BILL.

FIRST READING.

Hon. Mr. BOWELL introduced Bill (S) "An Act further to amend the Act respecting Joint Stock Companies to construct works and facilitate the transmission of timber down rivers and streams." He said:—This Bill merely changes the standard of measurement from the old standard of board to cubic measure. The change is made to prevent the injustice which the old standard causes, now that much smaller logs than formerly are floated down streams, particularly the Ottawa River. I may mention that it is purely a domestic arrrangement of the lumbermen who own these works upon the rivers, and it is introduced at their suggestion. It does not reduce the rate of tolls; it only readjusts them in a more equitable manner. Fuller explanations will be given at the second reading or when the Bill is referred to a Committee of the Whole House. I move that the Bill be read the first time.

The motion was agreed to, and the Bill was read the first time.

THE HAWAIIAN ISLANDS.

INQUIRY.

Hon. Mr. BOULTON inquired:

> If the Government have taken any steps towards acquiring a port of call between Australia and Canada and the Hawaiian Islands, in the event of the foreign relations of those islands undergoing a change?

He said:—The reason I have put this question upon the notice paper is on account of the revolution that has taken place in those islands during the past two or three months, and the overthrow of the native government of the past. Following immediately upon the footsteps of that revolution comes an application to the Government at Washington for the purpose of bringing about the annexation of those islands to the United States, and thereby yielding up their former state of independence. It is, I consider, a very important question to the people of Canada—the question of preserving the independence of those islands or failing in the preservation of the independence of those islands, at any rate to secure for the people of Canada a port of call that will enable us to use that place as a calling station or repair station, or for any purposes which may be necessary to conduct our commerce on the Pacific Ocean without any restriction. Hon. gentlemen are aware that Australia and New Zealand in the Southern Pacific Ocean and the colonial possessions on the coast of China, bear the same relation to the people of Canada that the State of California bears to the State of New York, or the State of Florida. We have exactly the same reason for preserving our communication with Australia and New Zealand intact, as the people of California have for preserving intact the communication between the states on the Pacific Ocean and the states on the Atlantic coast, and it is with that knowledge that I desire to impress upon this honourable House the analogous position that we occupy in the British Empire to that of the states of the Union. Now, the argument has been used to establish a precedent that Great Britain has annexed many islands and ports of call in the history of the past, notably the islands of Malta and Cyprus, Gibraltar, Aden, the Island of Ascension on the coast of Africa, the Island of St. Helena, and so on in various parts of the world. Why were they brought under the protectorate of Great Britain? It was for the purpose of having convenient stations in the highway of commerce for British trade between the various parts of the empire. There is one thing, however, that is worthy of being brought to the notice of this honourable House, and that is whenever the people of Great Britain annexed any of those islands or ports of call for the purpose of protecting her commerce, Great Britain always kept those ports perfectly free. Free trade prevails there and free access to those ports; the same benefit was accorded to all foreign nations who used those ports of call, exactly the same conditions were accorded and the same advantages were conferred upon foreign nations as Great Britain granted to her own subjects and in that respect no jealousy arose in the acquisition of such islands and ports of call. This brought forth a notable remark from the celebrated statesman Bismarck at the Berlin Treaty, when the discussion of the acquisition of Cyprus or when the Turkish convention which gave the Island of Cyprus to the people of Great Britain, was under discussion: Bismarck stated that when Great Britain opened out a new port or took possession of any portion of territory in the world that territory was made safe and free for all nations and protection to life and property afforded, therefore he said it is for the benefit of the commerce of the world that Great Britain should take upon herself the responsibility of utilizing Cyprus or any other port. In that respect, the position of Great Britain in taking possession of ports such as I have described, is not analogous to the position that is now being asked by the new Government of Hawaii for the Government of the United States to assume in taking the Hawaiian Islands, for the ports and trade of the United States are held as close preserves for the trade of the United States only to—.

Hon. Mr. POWER—If the hon. gentleman will excuse me, it does not appear that the United States propose to take possession. It looked that way a month ago but it does not appear so now.

Hon. Mr. BOULTON—Not at present I will grant, but it does not always do to give up a just cause simply because there may be a change in the condition or procedure in relation to that cause. I wish to go on and show exactly what has been done and what is now being done in regard to them. As I said before, these Hawaiian Islands are solitary beacons in the vast expanse of ocean between Australia and British Columbia; there is no port of call within 2,000 miles of the Hawaiian Islands on the way to Australia. It is on the direct line between Australia and British Columbia, which is only about 250 miles further than from San Francisco. Then again in the event of a canal being cut across the peninsula at Nicaragua, the Panama Canal having failed, and which I believe may not be very far distant in the future, in conducting our communication by water between the port of Montreal and British Columbia we will require to make use of that canal, and in developing our water communication with China and Japan from our Atlantic ports, the Hawaiian Islands are on the direct route between Nicaragua, or whatever port may eventually be established there and China or Japan. That shows of what importance these Islands are to Canada, and of course to Great Britain and Australia, quite as much as they are to the people of the United States, and for that reason I maintain that it is desirable to draw the attention of the Government to these facts. Now, hon. gentlemen, I will read to you Article I. of the treaty that it was proposed to enter into by the present revolutionary Government of the Islands, with the Government of the United States, which however, as the hon. member from Halifax says, has been withdrawn :

> Article 1. The government of the Hawaiian Islands hereby cedes, from the date of exchange of the ratifications of this treaty, absolutely and without reserve to the United States, forever, all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, renouncing in favour of the United States every sovereign right of which, as an independent nation, it is now possessed, and henceforth said Hawaiian Islands and every island and key thereto appertaining and each and every portion thereof shall become and be an integral part of the territory of the United States.

That is the treaty now proposed by the present Government of the Hawaiian Islands, but withdrawn from consideration by the President of the United States.

The United States negotiated a treaty in 1849—article I. sets forth: "There shall be perpetual amity between the United States and the King of the Hawaiian Islands, etc."

That treaty was supplemented by a treaty in 1875, which extended reciprocal arrangements and specified certain articles of commerce which should be admitted free by both countries for seven years, terminable thereafter on notice. Then the treaty of 1884 extended the term of the treaty of 1876 for seven years more, terminable thereafter on one year's notice, and the exclusive right was granted in 1884 to enter Pearl Harbour and maintain there a coaling and repair station during the existence of the treaty. Now these are the treaties which have been entered into between the United States and the Government of the Hawaiian Islands. I quote this, hon. gentlemen, in order to show so far as the present condition and so far as the present change of government in Honolulu is concerned that that treaty is being broken by a revolution, no doubt brought about for the purpose of annexing those Islands to the United States. Now, the treaty that Great Britain had with the Hawaiian Islands which was negotiated in 1851 exists still to-day and has been in force since 1851. I quote the first two articles.

> Art. 1. There shall be perpetual friendship between Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, and the King of the Hawaiian Islands, his heirs and successors, and between their respective subjects.
>
> 2. There shall be, between all the Dominions of Her Britannic Majesty and the Hawaiian Islands, a reciprocal freedom of commerce. The subjects of each of the two contracting parties, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports and rivers in the territories of the other, where trade with other nations is permitted ; they may remain and reside in any part of the said territories respectively, and hire and occupy houses and warehouses ; and may trade by wholesale or retail, in all kinds of produce, manufactures and merchandise of lawful commerce, enjoying the same exemptions and privileges as native subjects, and subject always to the same laws and established customs as native subjects.
>
> In like manner the ships of war of each contracting party, respectively, shall have liberty to enter into all harbours, rivers, and places within the territories of the other, to which the ships of war of other nations, are, or may be, permitted to come, to anchor there, and to remain and refit ; subject always to the laws and regulations of the two countries respectively.
>
> The stipulations of this Article do not apply to the coasting trade, which each contracting party reserves to itself, respectively, and shall regulate according to its own laws.

Now, hon. gentlemen will see by article 2 the interest which the people of Canada have in the maintenance of that treaty with the Government of the Hawaiian Islands. In 1851 that treaty was entered into by Great Britain for herself and the whole of her dominions, and in the event of any change taking place in the foreign relations of these islands that treaty would become null and void, and the protection it afforded to the commerce of Canada between our ports and Australia and New Zealand would be to that extent threatened. It might be threatened for the reason that we are competing with the people of the United States for the ocean traffic on the Pacific ; we are competing for the trade to Australia, working together under the British constitution. The fact is, if these islands were annexed under the constitution of the United States they would be admitted to statehood and would possess sovereign powers. Those are powers outside of the national will of the Government of the United States and if the Government of the Hawaiian Islands should come under the influence of American citizens in those islands, that influence might be used to the detriment of Canadian competition in the Pacific Ocean for trade within the bounds of the British Empire, for trade with Australia, New Zealand, or colonial ports in China. If we have any hope or ambition to extend our commerce beyond the limits of Canada by adopting a different commercial policy, a policy of free trade such as has developed the commerce of Great Britain, it seems that we should look upon the loss of an independent station or port of the importance this is with the most jealous eye and jealous care in order to protect the commerce of Canada whatever it may grow to. Now, hon. gentlemen, I wish to point out that this movement for annexation has been very largely brought about in consequence of the policy of the United States with regard to the reciprocal arrangements as to sugar duties. Hon. gentlemen will recollect that under the McKinley Bill in 1890 the duty was taken off sugar. In 1876 a treaty was entered into between the Government of the Hawaiian Islands and the United States for the purpose of admitting sugar free into the United States on reciprocal terms. That arrangement was made and the people of the Sandwich Islands had the right to send sugar to the United States upon more favourable terms than other sugar-producing countries. American planters went in there, and that developed the growth of sugar in those islands and increased the production to a very great extent, reaching in the present day to about 130,000 tons. The reciprocal treaties negotiated under the McKinley Bill first of all threw open to the world the right to sell sugar in the United States market and then again restricted it to those countries that entered into reciprocity treaties. This led to the negotiation of treaties with Brazil, San Domingo, Spain, etc., and all the sugar-producing countries: it made however, those concessions which were obtained in 1876, and renewed again in 1884, of no value to the Hawaiian Islands; in order to protect her own citizens from the cheapening of the cost of producing sugar by drawing all the sugar-producing countries to the United States to sell their sugar, which brought down the price to a very great extent, and in order to protect their own citizens, they gave a sugar bounty of two cents a pound on all sugar produced in the United States. This I have no doubt is one of the leading causes that brought about the revolution in the Hawaiian Islands, for the purpose of bringing those islands into the boundaries of the United States, and by annexation to the United States obtaining two cents per lb. of sugar bounties under the McKinley Bill. It would have cost $6,000,000 to do that. That would be the price the people of the United States would have to pay if they brought those islands in under the treaty by annexation: that is what it would be worth to sugar interests in the islands. The same influence is no doubt operating in Cuba and San Domingo to-day. Under the McKinley Act a reciprocity treaty has been negotiated with all the sugar producing countries, and it is quite possible that the same influences which were used to bring about a change in the Government of the Sandwich Islands, may be used to bring about a change in some of those West India Islands with all the trade restrictions of the present commercial policy of the United States. Whatever the cause has been there is the fact that we have to look at; there is the influence that has been bringing about the change in those islands in the Pacific Ocean taking from the people of Canada and Great Britain the advantages they possessed under the treaties to which I have already referred and putting those islands under the control of a people who may be disposed to restrict and thwart the competition of Canada on the Pacific highway. When you realize that those islands in that vast expanse of ocean some five or six thousand miles wide, are the only places where a ship can call to get coal or for repairs or anything else, it brings forcibly to our attention the necessity for looking this matter straight in the face, and judging whether it is not wise for our Government to press on the attention of the Imperial authorities the condition of affairs as they exist to-day. I should be the last to advocate any interposition that might interfere with a more beneficent state of civilization on any islands, but at the same time when a change is being sought for, now is the time to express ourselves and point out our interests in the matter to the Imperial Government which controls and protects our international interests. I should like to quote one or two statements from a book that I have here written by Captain Mahan of the United States Navy. It is entitled "The Influence of Sea Power on History." He opens his work in the first chapter by saying :—

> The first and most obvious light in which the sea presents itself from the political and social point of view is that of a great highway; or better, perhaps, of a wide common, over which men may pass in all directions, but on which some well-worn paths show that controlling reasons have led them to choose certain lines of travel rather than others. These lines of travel are called trade routes; and the reasons which have determined them are to be sought in the history of the world.
>
> Notwithstanding all the familiar and unfamiliar dangers of the sea, both travel and traffic by water have always been easier and cheaper than by land. The commercial greatness of Holland was due not only to her shipping at sea, but also to the numerous tranquil water-ways which gave such cheap and easy access to her own interior and to that of Germany.

This is the view of a prominent naval officer of the United States—that the sea is a common open to the trade of the world. It should be our policy to preserve that common free and independent for Canadian and British commerce, free and independent for the commerce of the world, and not allow any portion of it to be barred against the free developement of the trade of the empire. I would again quote from an article in "The Forum" by the same naval officer, Captain Mahan, who is evidently a very intelligent and distinguished gentleman. Referring to the Hawaiian Islands, he says :—

> To have a central position such as this, and to be alone, having no rival and admitting no alternative throughout an extensive tract, are conditions that at once fix the attention of the strategist—it may be added of the statesmen of commerce likewise.

You can see what great importance he, as a naval officer, and professional man, attaches to these islands in the Pacific Ocean and the same arguments that he is advancing there for their acquisition by the United States are arguments for the people of Canada to maintain the independence of those Islands or at all events to maintain a port of call for Canadian vessels on that highway. Here is another quotation of Captain Mahan's in the article in the Forum I referred to as follows :—

> How much poorer would the world have been had Englishmen heeded the cautious hesitancy that now bids us reject every advance beyond our shore-lines! And can any one doubt that a cordial, if unformulated, understanding between the two chief states of English tradition, to spread freely, without mutual jealousy and in mutual support, would greatly increase the world's sum of happiness?

I consider that, approached in that spirit, the annexation of those Islands would probably lose a great deal of the danger that we have to fear in their acquisition by the United States but, as I said before, unfortunately when those Islands come under the Government of the United States we are then liable to be thwarted in our competition by many means well known to steam-ship companies or sugar interests or other corporations who have their individual or personal interests in view, and are not controlled as others states would be nearer home. We have an instance of that in the Behring Sea arbitration now going on. That arbitration is the result of an effort on the part of those who conduct sealing operations as a corporation in the Behring Sea to restrict Canadian competition in catching seals on the high seas. So that if we want to avoid difficulties such as have led to this very arbitration, we should, before those islands have lost their independence and have become a portion of the United States, protect our interests in order that a port of call may be insured to us. We all know that Great Britain is slow to move where the interests of the United States are concerned. We are so closely identified with one another and have so much in common that where the interests of the United States are concerned Great Britain is far more slow to move than if another foreign nation were taking the same steps. More than that, the Sandwich Islands do not possess to the people of Great Britain the same importance that they possess to the people of Canada. Except coming up from Cape Horn or going backwards and forwards between the port now used by the railway across the Isthmus of Panama, and the China and Japan Seas, England does not attach as much importance to the Sandwich Islands as to the Suez Canal or other eastern channels of commerce which guard Imperial interests on their route, but in Canada, if we want to develop trade with Australia and closely ally ourselves by cable or a steam-ship company with that great continent and develop our trade in that direction, it can only be done by having an independent position in those Islands, in the event of their passing under the control of the United States Government, in order to develop our own interests and our own industries by the competition which the ocean traffic of the Pacific affords. I may say that so far as the present is concerned, as the hon. member from Halifax has already stated, that treaty has been withdrawn by the President. It has been followed by a Commission which has been sent by the United States Government to Honolulu in order to inquire into the conditions which brought about the revolution there and caused the American flag to be hoisted over the Government buildings of those Islands, with, no doubt, the propriety of taking down the American flag and leaving those Islands free and independent until, at all events, they have become satisfied that by a vote of the people, uninfluenced by any foreign power they desire that annexation should be carried out. I think, that under all the circumstances of the case and seeing the importance that those islands are to the people of Canada, solitary beacons in that vast expanse of 3,000 miles with not a single island of any description between them and our ports in British Columbia, it becomes the imperative duty of the Government to represent to the Imperial Government who control the international relations of the Empire, what the interests of Canada are in the matter.

Hon. Mr. KAULBACH—I hope the committee now appointed on the rules of the House will so define the rights of members of this body about asking questions as to forbid debates on inquiries. We know in the House of Commons a member may simply ask a question, hardly being allowed to make an explanation. That was the rule adopted in this House, but unfortunately it has not been strictly complied with, and now a member can put a question on the paper, presumably for the simple purpose of eliciting an answer, and spring a debate on the subject to which it refers. No doubt I am now transgressing the rule myself in making these remarks, but we have it on the authority of the hon. member from Richmond that great latitude should be allowed to members asking questions. That latitude has, however, been extended further than is reasonable. I am not sorry that my hon. friend has opened up this question. I was going to ask—*cui bono*—what good it would do, but after all it may lead to beneficial results. The Minister of Trade and Commerce cannot have his eyes shut to the importance of keeping Honolulu or Pearl Harbour open as a port of call for our vessels on the Pacific Ocean. The subject is one of growing importance. Our trade on the Pacific is yet in its infancy. Ere long we may reasonably expect that we will exchange products with our sister colonies in Australasia. On that vast expanse of ocean, there is but one group of islands where our vessels could find a port of call, north of the equator. If those islands are to be annexed by the United States, it should be well understood that it is done with the concurrence of the people of Hawaiia. The whole subject of the recent revolution is being investigated by a Commission sent from the United States, but it should be borne in mind that we also have large interests in those Islands. We have about 1,500 of a population there, while the United States have about 2,000. There are some 15,000 Chinese some 13,000 Japanese and some 8 or 10,000 Portugese. The assimilation of such a mixed population is a greater contract, I should think, than the United States would care to undertake. As an hon. gentleman remarked, when England assumes the protection or the possession of any Island, it has always been open as a port of call for the whole world, but that is not always the case when important islands fall into the hands of foreign nations. I am quite sure that our Minister of Trade and Commerce is alive to the interests of the country, as he and the Government always are, and that he has already represented to the British Government the deep and growing interest that Canada, has in maintaining the independence of the Hawaiian Kingdom.

Hon. Mr. MACDONALD (B.C.) I do not think it would be proper for this House to deal with a purely Imperial question. The hon. gentleman who asked the question has advised the Government to press this matter on the attention of the Imperial authorities. How can our Government do so? They know little or nothing about it; they have no agent in the country. We have no trade, at present, with those Islands. They lie 3,000 miles from the coast of British Columbia. At one time we had a trade, but the treaty of 1875 giving reciprocal trade with the United States shut us out. In former years we used to get sugar, salt and molasses from the Sandwich Islands. Now we do not get a ton of freight from there in a year. They used to take our timber, fish and products of that kind, and we had a large market there for salt salmon. That was all cut off by the treaty with the United

States in 1875. If there was a treaty in 1851 with England that gave us equal rights with our neighbours in that market, how is it that she has allowed that treaty to be overridden by the United States treaty as it has been? Now, with regard to England's connection with those islands, for the last 100 years she has had ships of war in those waters. She has a consul-general, admirals, captains —officers of intelligence, at those Islands, and yet in the face of all that, no attempt has been made by the mother country to prevent the annexation of those islands by the United States. I cannot understand their allowing this to go on without a protest. By right of discovery if any power should claim the group England should have them. Capt. Cooke discovered them in 1777. Britain ought to have a larger interest in the islands than the United States have, but for all that, there is not a hand moved by the Imperial Government in this matter.

Hon. Mr. BOULTON—That is what I want them to do.

Hon. Mr. MACDONALD—We cannot do it. If they are satisfied with the present condition of things, we must be satisfied. It would almost amount to presumption if we were to offer advice to the Government of England about the ownership of a group of islands lying 3,000 miles from our shores. Although England discovered those Islands and had this connection with them all those years, yet the Americans made the trade of those islands with their whaling fleets. About 50 years ago there were few white people on the islands and little or no trade. The whaling fleets going up to the Arctic Ocean wintered on the islands and supplies of all kinds, causing merchants to embark in trade and commence business there. Banks had to be opened as ships drew bills on different places and this built up Honolulu. I have visited those islands. They are very beautiful, the soil is rich and the climate salubrious; whatever country gets them will secure a rich prize. The exports of those islands amounted to about fourteen millions of dollars last year. The imports were small, amounting to only about five millions. The population numbers about 87,000. At Honolulu there are several churches, and there are 168 schools on the islands attended by 10,000 pupils. Altogether there are thirteen islands eight of which are inhabited—five are small and not inhabited. Honolulu is in a highly civilized condition. They have electric lights and tramways. I cannot see that this Government can make any move whatever in the matter. We have lost our trade through the treaty of 1875 with the United States, who will continue to hold it.

Hon. Mr. POWER—Although slightly out of order, I am disposed to say a word or two in response to a remark made by the hon. gentleman from British Columbia. The hon. gentleman appears to regret, as did the gentleman who asked the question, that England had not taken more decided action in connection with the Sandwich Islands. I am glad to see that England is beginning to be a good deal shrewder than she has been in the past. If England had expressed any strong objection to the probable annexation of these islands to the United States, the treaty which President Harrison submitted to the Senate of the United States, I have no doubt would have been ratified, and the Sandwich Islands would have been part of the great republic by this time. It is England's refusal to express any opinion on the matter at all that has left matters as they are and has given a chance for the sober second thought of the people of the United States, to realize that the Sandwich Islands would be a sort of white elephant which they are better without.

Hon. Mr. BOWELL—In reply to the question put by the hon. gentleman from Marquette, I can only repeat what was stated in the House of Commons by the First Minister (Sir John Thompson) when a somewhat similar question, without debate, was put to him by one of the members of that body. That is, that the Government has not directly had any negotiations with the Imperial Government upon the question of the annexation of the Hawaiian Islands to the United States. They have had correspondence, however, in reference to the cable which has been advocated for some time past, to get authority to land upon those shores wires in making direct cable connection between British Columbia and Australia. That is the extent to which the correspondence has gone at the present moment. I shall, however, not fail to forward, through our High Commissioner, a copy of the debate which has taken place here to-day. Although this country is to a very great extent interested in obtaining a coaling station should the islands be annexed to any foreign power, I confess I am fully in accord with the remarks made by the hon. gentleman from Halifax. It is questionable, in my mind, whether this debate will not to a very great extent influence some United States statesman in endeavouring, if possible, to get possession of those islands. They may come to the conclusion that they are of such great importance to Canada that they had better deprive us of any privileges and destroy our trade, if possible, in the future, should we attempt to have direct communication between British Columbia and Australia. However, it has been pointed out that the present administration in the United States decline to even justify, let alone ratify, the action of their representative at Honolulu. I could not help smiling, however, when my hon. friend from Marquette said that, if we would adopt that free trade policy, of which he is such an ardent admirer, in this country and which has developed to such a great extent the trade of Great Britain, we should derive equal advantages therefrom. He followed that immediately with the declaration that all these difficulties which have presented themselves to his mind have arisen on account of the partial free trade policy adopted by the United States. The fact that they put sugar on the free list, which would give to the planters and shippers of raw sugar on these islands some $6,000,000 were they part and parcel of the United States, is the cause of the difficulties that have arisen in that country, so that if Canada is to be punished and we are to suffer either in our trade or by any other means, it is just on account of the free trade policy which has been adopted so far as it affects sugar, with the additional bounty which they propose to give to the planters who raise sugar in that country. That is one question that is incident to the whole trade policy of the country. It was absolutely necessary to the United States, if they did not desire to destroy the whole planting industry in that country, to adopt a system of bounty, which led the thirteen or fourteen hundred Americans who now inhabit those islands to create a revolution and endeavour to have the group annexed to the United States that they might profit by the 2 cents a pound additional. I congratulate the hon. gentleman on answering himself on most occasions when he advocates that free trade nostrum of which he is so particularly fond. I may add, from the present aspect of political affairs in the United States, it is not likely that they will push the annexation of that country. If they do, I am quite convinced that Great Britain, if she has not lost her cunning, will look after her own interests and ours also.

SPEAKER OF THE SENATE BILL.

DEBATE CONTINUED.

The order of the day being called—

Resuming the adjourned debate on the motion of the Hon. Mr. Angers for the second reading of Bill (N) "An Act respecting the Speaker of the Senate."

Hon. Mr. VIDAL said:—I trust that it will not be considered presumptuous for me as a layman to express the views which I hold with reference to this important matter which is under the consideration of the House. I fully agree with the statements of my hon. friend beside me that it is a very important question, although I look at it perhaps from a different point of view. I think it is exceedingly desirable that the matter should be very fully discussed, and the Senate should have every opportunity of hearing what can be advanced on either side in order that they may arrive at a safe and wise conclusion. We have had the very great advantage of having from eminent jurists an opinion expressed on both sides of the question. On the part of the hon. introducer of the Bill, the Minister of Agriculture, and on the part of the hon. member from Amherst, we have had placed before us very good and sufficient reasons why the Bill should be accepted by the House and should now have its second reading, and we have also had in the lucid and exhaustive remarks of my hon. friend beside me the utmost that could be said against the Bill being adopted by the House. It would really seem as if it were trespassing on the time and patience of the House for one like myself, a layman, to occupy any time with remarks upon it, but I trust the House will excuse me for expressing my opinions; and I think perhaps my observations may be interesting, if not of so great value as those coming from men experienced in legal questions. Now, I differ very much from my hon. friend beside me as to the conclusions at which he arrives, from the premises which he has given to us. With most of the statements which he has made as to actual facts and occurrences I fully concur, but I do not agree with the inferences and conclusions which he has drawn from those statements. For convenience in discussion I might divide my remarks into three heads, thus giving three reasons why I think the Bill is a desirable Bill to be adopted by the House. I would say in the first instance I think that we have the right to pass it from the inherent power which the House possesses to preserve its own existence. Then again from the authority given by the original British North America Act. Again in 1875, by the amendment of the 18th section of the original Act—a threefold cord,—and in my judgment any one of these reasons would be sufficient to justify the House in adopting the Bill which has been presented to us.

Hon. Mr. McINNES (B.C.)—Hear, hear.

Hon. Mr. VIDAL—As to the inconvenience which my hon. friend has mentioned; I believe there is a very general agreement in the House, as to the inconvenience of our present position in this matter. I do not myself think inconvenience is a sufficiently strong word: I think it is an exceedingly awkward and dangerous position we are in with reference to it, inasmuch as we are exposed, as the hon. Minister of Agriculture clearly showed in the few remarks he made on introducing the Bill, not merely to a slight inconvenience, but to risking the stopping perhaps of very important business which might be requiring the attention of the House: so that the interests of the country might very seriously suffer: and I think in this point of view it is exceedingly desirable that the evil should be examined into without delay and the best possible remedy applied to it. Now, with reference to the inherent power which I claim we possess, I may say in the first instance that while my hon. friend beside me drew a marked distinction between the power conferred by special acts or given by special authority, and this inherent power, it struck me that, after having very fully expatiated upon it, he in the concluding remarks which he made with reference to it, really set aside and counteracted every thing which he had said before in reference to it: because it will be remembered in giving his final illustration with respect to it, he took the House of Lords as the example which we were to follow as far as we could. While he showed to us very properly and clearly that the appointment of the Speaker of that House, the Chancellor, and also of three or four deputy-speakers was made by the Crown, he went on to show to us that, in the event of it so happening that neither the Chancellor nor any one of the four deputies was present, the House had an inherent right to put one of its members in the Chair and go on with the business of the House. Now that appeared to me to be a giving up of the whole question. In the very instance which he gave there was, evidently, the inherent right, in the absence of any special provision, to take the step as necessary for the very preservation of the House and the carrying on of its business. Now, I think we have shown that we in this country have, though not professedly, yet actually, recognized the existence of that principle in the action which has been taken by this House and Parliament on former occasions. We have had the instances mentioned here which occurred several times in reference to our Speaker, when he from some cause or another was unable to occupy the chair and the business of the House was interfered with. It has been spoken of as though the selecting of a person to occupy the Chair temporarily, and not to enter upon any real business in the House, was a different thing from the point which is now before us, of officially electing a man to represent the Speaker and investing him with the Speaker's powers, privileges and authority. I cannot myself see any difference. The very fact that this House when it has met under those circumstances, without a Speaker, has chosen one of its members to occupy that Chair is to me sufficient to show that it has recognized that it had an inherent power to preserve its own existence, and in this way to prolong it and fit it for duty. It does not matter how much or how little business was done by it. Universal consent does not touch the question. I hold that in these cases there was the universal recognition by the House of the fact that it had this inherent power to appoint a temporary Speaker: when it appointed a person to that position it might be well understood by all parties that no business would be gone on with, but simply to allow a motion for adjournment; but I should like to know when a person is called to the Chair whether it is possible to limit his acts.

Hon. Mr. POIRIER—Oh, yes.

Hon. Mr. VIDAL—He is there to discharge all the duties of that Chair, and if he were not vested with that power, he could not put a motion to adjourn. The very fact that he has the power to put a motion to the House shows that the House has the inherent power to continue its existence by putting a person in the Chair when by any accident that Chair might be vacant. I think the action this House has taken on former occasions shows that we really in our inner consciousness, recognize that we had the power and that we really did exercise that power on these several occasions when the temporary Speaker was appointed. Now with reference to the example which we have in the House of Commons' action on that point, we know that they act in one sense upon a more specific authority then we do, but at the same time the principle is recognized there, and their action, if it is looked into, will be seen to justify the action now proposed to be taken here. However, I shall come to that when I speak of the power which I conceive is conferred upon us by the very statutes which are quoted as limiting our power and preventing us from taking this step. I would first refer to the action of the House of Commons in 1885. I do this as an illustration of the principle which I announced of the House having an inherent power beyond that conferred upon it by the British North America Act. Now, the original British North America Act, as will be found by reference to section 47, made provision for the House of Commons to meet an emergency of this kind, until the Parliament of Canada otherwise provided, in case of the absence of the Speaker for a period of forty-eight consecutive hours: the House may elect any of its members to act as Speaker, and that acting Speaker shall have power, &c. Now, in 1885, the House of Commons took action, but did they confine themselves to the specific provisions of this clause? They went on beyond it; they assumed a power and exercised an authority which was not conferred upon them in this clause: for here it is the House that is empowered to choose one of its members to occupy that position? Turn for a moment to the Act passed in 1885 by the House of Commons, and you will find they did not consider themselves bound by that provision. What did they enact there? That whenever the Speaker of the House of Commons from illness or other cause finds it necessary to leave the Chair during any part of the sittings on any day, he may call upon the Chairman of Committees, or in his absence upon any member of the House of Commons to take the Chair. Now what more would hon. gentlemen require than that? Does that not show that the House of Commons, or rather Parliament, for we are partly the makers of that law, it was not the House of Commons only; it was the Parliament of Canada that so acted, and although the power was actually restricted to the House appointing a person to fill the vacancy, we the Canadian Parliament enacted that the Speaker should have the power to call upon the Deputy-Speaker or any other member in his absence to fill the Chair. Can there be a clearer case produced than this to prove that we not only possess, but have exercised the power to fill a vacancy of this kind: and hon. gentlemen must see that the possession of this inherent power is actually necessary for our very existence as a Senate or deliberative body. We must have it. We have exercised it by acting as though it had been conferred upon us by statute. Now passing to the second point—although I think the first one is sufficient to justify the present course,—passing to the second point that the British North America Act gave the power, I am merely repeating an argument which has been strongly and unanswerably advanced by the Minister of Agriculture in introducing the Bill; that in the 91st section of that Act we find these words "it shall be lawful for the Queen by and with the advice and consent of the Senate and House of Commons to make laws for the peace, order and good government of Canada." Now that covers a good deal of the ground. You see what the Act further says, it goes on to say "in relation to all matters." Surely that covers a wide field—in relation to all matters, with only this exception, matters which are by this same Act exclusively given to the provincial legislatures. That is the only exception. All matters except those which are by this Act exclusively given to the Provincial Legislatures may therefore be acted upon by the Parliament of Canada. Bear that in mind—to make laws—it is to be done by statute—to make laws for the peace, order and good government in relation to all matters not coming within the class of subjects by this Act assigned exclusively to the Legislatures of the Provinces. Now I hold that it cannot be denied that this specific Act which we propose to authorize to be done by the Bill now before us, is just one of those which must be included in the "all matters necessary to the order and good government of the country;" and therefore, under that section, I believe we clearly have the power to do it. I am quite well aware that the argument has been advanced that the law was passed in 1867, and it has not been recognized that it gave this power by the Ministers of Justice and members of Parliament. It seems to have been lost sight of, but I cannot help that; it was there and might have been acted upon. Many of you will remember that I have for some years frequently spoken privately with reference to this very matter, and contended that we ought to take some step with reference to making provision for such a contingency as might arise; but I have always felt that under the circumstances, knowing that I could not claim any great acquaintance with legal matters, and, having opposed to me the opinions of the best and highest legal authorities in this House, I always felt it was right and proper that I should not urge my views about it. I never had an opportunity of speaking on this subject to the House when in session; but when I have the countenance, as at present, of some of the most eminent legal gentlemen in the country, I am the more emboldened to speak my views on the subject. So much for the British North America Act of 1867. Now, the Imperial Act of 1875 has also, I think, a very direct bearing upon this question, and it is well that we should see what is given in the preamble, the "whereas," as the reason for the Act being passed. This is the Imperial Act, chapter 38-39 Vic., known as the Parliamentary Act of 1875, of Great Britain. We find in that Act:—

> And whereas doubts have arisen with regard to the power of defining by an Act of the Parliament of Canada in pursuance of the said section, the said privileges, powers or immunities; and it is expedient to remove such doubts, &c.

And therefore to quiet these doubts and make sure that the Parliament of Canada had power to define and say what were the privileges, powers and immunities of the two houses, the Parliament of Canada has been given specific power to do this. We find the following in the enacting clause. I will not read all the words, simply the substance:—

> That the privileges, immunities and powers to be held and enjoyed by the Senate shall be such as from time to time are defined by Act of Parliament of Canada. The powers—whatever powers there are—are to be defined by Act of Parliament of Canada, and the only restriction as to the limit of power conferred by such Act or to the extent to which this privilege or power may be exercised, is that it shall not confer any privileges, immunities or powers exceeding those at the passing of such Act held by the Commons House of Parliament of Great Britain.

There is the only limitation. The Parliament of Canada may define, may say what are the powers of the House. Clearly and distinctly the only limitation is that they shall not exceed the powers enjoyed by the Commons House of Parliament of Great Britain. Can hon. gentlemen venture to say that at that time or that at any time the House of Commons of Great Britain had never the right to call a member to the Chair, in the absence of the Speaker. It has always enjoyed the right and maintained the right the inalienable right inherent in it, and therefore, I consider that this Act rightly understood, passed for the very purpose of defining in an unmistakable manner the extent of the powers which we enjoy as a branch of the Legislature, clearly and distinctly shows that we have the power by the Act of our Parliament to define these powers, and that the only limit is that they shall not exceed those powers possessed in the Commons House of Parliament at that time.

Hon. Mr. GOWAN.—Has it power to do anything else?

Hon. Mr. VIDAL—Yes, but not as to certain things which are specified in the Act; it would not have the power to elect its own Speaker: that is clearly the prerogative of the Crown, and I am quite sure in any interpretation of the law, that item would be held to be outside the powers given to the Parliament of Canada which I have referred to and quoted. I think either of the three sources mentioned would give sufficient authority for taking the step now proposed to be taken in the Bill now before us for its second reading. My hon. friend remarks as to the necessity or desirability of not hurrying this matter, considering it carefully, taking a great deal of time over it, that there was no urgency about it. I differ from this view to some extent. I think the question has been before us for a long time, and we have often thought of it and considered it, and therefore as a matter of time for consideration, I do not think it needed it. But then it struck me with respect to this question of urgency that this is a very appropriate time to do it. It is urgent that it should be done at once: and why? We are approaching the end of the session. We have every reason to expect and sincerely hope that our Hon. Speaker will hold this position for the remaining time that we will be here: but if we pass this Bill it does not become law until it receives the assent of the House of Commons and the assent of His Excellency representing the Queen: and therefore it does not come into any immediate operation. I may mention the ordeals through which it has to pass. It is well to bear this in mind. After passing the ordeal in this House of a searching investigation and severe comments, it has to go through the ordeal of its passage through the House of Commons. There are eminent lawyers there, men well acquainted with the Acts I have referred to, and the principles upon which the government of the country is conducted, and if it is found there that we have passed a Bill which they think is exceeding the powers of Parliament to pass, it would be rejected there, and there would be an end of it; but supposing—which I think is very likely—that they would recognize the reasonableness of the action which is proposed to be taken, even then it is not law until His Excellency the Governor-General, has assented to it, and this, in my judgment—I may be wrong—would be one of the cases, if he had any doubts in his own mind about its encroaching on the prerogative of the Crown, which he could with the utmost propriety withhold his assent from, until he could communicate with the home authorities and ascertain their view with respect to it; and therefore, I see no harm in our passing this bill in the fear of it encroaching on the prerogative of the Crown. I think the prerogative of the Crown would be sufficiently guarded by the course which would have to be followed. Allow me to say I share most fully with my hon. friend beside me in the appreciation of the advantages and privileges of the Crown possessing the prerogative which it does, and I would certainly not seek to encroach upon that prerogative in the least. I think it is essential to the stability of our Government and the well being of our people that the prerogative should be maintained and not encroached upon. Now, we will suppose the bill receives the sanction of His Excellency the Governor-General, it has still another ordeal: there is still the power of the home Government to veto it.

Hon. Mr. GOWAN—No, disallow it.

Hon. Mr. VIDAL—To disallow it; so that it would go home to the old country and the Crown lawyers, men of the highest legal position in the Empire, would have an opportunity of forming a judgment upon it. If it was found to be an encroachment upon the privileges of the Crown it would be simply disallowed and there would be an end of it and no harm would be done; whereas if we do not pass the Bill, I think it is generally admitted, something should be done in order to get rid of this difficulty in which we are placed in this matter, and that if we do not adopt this plan some other course must be pursued. Of course we know that by address to the Crown there might be an alteration in the Imperial Act obtained, if required, but contending as I do that the British North America Act has given to this Parliament the full authority and full power, twice repeated in the Act, to make the provisions embodied in this Bill, I think we should be perfectly justified in giving the Bill its second reading. If hon. gentlemen refer to the Act of 1885, providing for the temporary absence of the Speaker of the House of Commons it will be observed that it is as similar in its terms to the present Bill as the circumstances in the character of the two houses will admit. It has just the same provision that the Speaker may call upon a member to occupy his position in the event of his absence for a short time, or, in the event of his not coming to the House, being detained by a snow-storm or other cause, that on the clerk notifying the House, they would have the opportunity of filling the Chair for the time being, and at the same time it is of course necessary that a person occupying for a time the position of Speaker should be vested with power and authority to act as Speaker, and that acts done by him should be thus made valid and binding: otherwise a question might arise as to their being strictly in accordance with the law. I think, therefore, that we cannot do better than give the Bill its second reading. I have no doubt the discussion will be further prolonged and more light thrown upon it, but having taken the opportunity to put before the House the opinion a layman forms on the matter, I leave it with the House to form their judgment, hoping that the Bill will meet with approval.

Hon. Mr. ALLAN—There are so very many important and complex considerations connected with the subject matter of the bill now before the House that I find it extremely difficult to form a satisfactory judgment in my own mind as to the course which we ought to pursue. No one can possibly shut his eyes to the very great inconveniences which has been experienced in the past and which may very possibly be experienced again in the future in consequence of the House not having the power to elect a gentleman to fill the chair in the event of anything occurring to the Speaker of the House. Of course we stand in a different position to the House of Commons, where they have a Deputy-Speaker, inasmuch as the ordinary business of this House is certainly not of such a nature and the sittings of the House are not so prolonged, except perhaps towards the close of the session, that any gentleman in an ordinary state of health would have any difficulty in filling the position without assistance. But apart altogether from any question of assistance to the Speaker of this House in presiding over its deliberations we know that upon several occasions great inconvenience has been experienced in consequence of the House not having the power to appoint a Deputy-Speaker to the Chair in the case of the illness or unavoidable absence of the Speaker himself. These instances have been already alluded to by gentlemen who have spoken before me and they are no doubt fresh in the minds of hon. gentlemen to-day. How such occasions may most unexpectedly arise was brought home to me very strongly in my own personal experience: It so happened that during the last year I had the honour of filling the Speaker's chair, I was taken ill in the course of the night and there seemed every probability when the morning came that I should not be in a fit state to perform my duties that afternoon. I sent for my medical man and told him that under any circumstances, he must positively have me in such a condition that I could take the Chair at 3 o'clock, and fortunately for me and the business of the House, he brought about such a change that I was able after all to preside. I only give this as an instance of what may occur to any hon. gentleman who occupies the Chair. Then again, there are other causes which may occasion the absence of the Speaker, as serious illness in his family for instance, such as unfortunately occurred, which I hope may never occur again, with our present Speaker, for whom, I am sure, we all felt at the time the greatest sympathy. It might happen also in returning after some short adjournment of the House, as has happened before this, that the Speaker might be detained unavoidably by snow-storms or other accidents in the course of his journey, so that I agree most thoroughly with all that has been said as to the great necessity of endeavouring if possible to find some solution of the difficult position we may be placed in at any time under the present condition of things. There is an old adage, however, about "doing evil that good may come;" perhaps it is hardly one quite applicable in this case, because we do not desire to do anything that is morally wrong, but we find ourselves in a great difficulty as to how to remedy the very serious inconveniences which have arisen and are likely to arise again and again, and in order to get out of this difficulty we are asked to assent to legislation which I think is, at all events, of a very doubtful character in a constitutional point of view. Now while I would shelter myself under the same designation as that which my hon. friend from Sarnia has applied to himself, "simple layman" and therefore as one not quite competent perhaps to pronounce a very accurate judgement upon such difficult constitutional points, I would like, with the permission of the House, to refer to what has been written upon the subject by a gentleman to whom we all look I think with considerable confidence to guide us in everything connected with Parliamentary and constutional law. I refer to Mr. Bourinot, the clerk of the other branch of Parliament. Now my hon. friend opposite has laid great stress upon the supposed inherent powers which he contends this House possesses, and in regard to which I do not think we stand at all in the same position as the Parliament of Great Britain. Let us see what Mr. Bourinot says on this important point:—

> The Parliament of Canada is not a "constituent" body, having the statutory power to alter its own constitution. The legal and constitutional status of each branch is set forth in the British North America Act; the Senate, in the exercise of its powers as a legislative body, must act with the Speaker in the Chair, as provided by the Act, otherwise its acts may be called in question in the courts.
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> The Senate has not the powers under the British North America Act that are given to the House of Commons, which, by virtue of the 47th section of that Act, has elected a Deputy-Speaker to act in the "absence, for any reason, of the Speaker from the Chair." It is noteworthy that the original Quebec Resolutions appear to have provided for giving larger power to the Upper House of the Dominion Parliament (see resolution 15), but when the Act of Union was framed the provision in question was not inserted.

With regard to "the inherent powers" of the Senate, upon which so much stress has been laid by previous speakers, let me quote Bourinot again:

> The Senate is a legislative body acting within the limitations of the statute, and has none of the constitutional and legal functions of the House of Lords, which forms part of a constituent body, having authority to alter the constitution of Parliament in any particular. The fact that the House of Lords has Deputy-Speakers does not give the Senate any authority to follow their procedure, since the Senate is the creation of a statute and is limited in its powers by an Imperial statute.
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> In the constitution of the United States, an express provision was considered necessary for the appointment of a Senator to act in the absence of the legally appointed President of that body, who is also Vice-President of the United States.

Then with regard to the power which the Senate may be supposed to possess under the Imperial Statute chapter 38-39th Vic., legislation which was passed at that time giving power amongst other things, with regard to the examination of witnesses under oath before the two Houses and their Committees; the expressions there "the privileges, immunities and powers" to be held, enjoyed and exercised by the Senate, had been held, I think, by my hon. friend from Sarnia to give the Senate the power to legislate in the direction of this Bill. With respect to that point I would like to quote again what Mr. Bourinot says:—

> The privileges, immunities, and powers to be held, enjoyed and exercised by the Senate and by the House of Commons, and by the Members thereof, respectively, shall be such as are from time to time defined by the Act of the Parliament of Canada, but so that any Act of the Parliament of Canada defining such privileges, immunities and powers shall not confer any privileges, immunities or powers exceeding those at the passing of such Act, held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the members thereof.
>
> Under this statute can the Parliament of Canada invest the Senate with authority to elect, or otherwise provide for the appointment of a Deputy-Speaker? What are the "powers" possessed by the English House of Commons? The "privileges, immunities and powers" in question are certainly not those possessed by the House of Commons as a part of a constituent and sovereign body which may alter its own constitution in any respect. It was never contemplated under this section, to give the Parliament of Canada the power of altering the constitution of either House in any particular, as respects the number of qualifications of members, or the office of Speaker, for instance. It is clear that the meaning of the word "powers" is here restricted by the words "privileges" and "immunities," that the words are *ejusdem generis*, and that the "privileges, immunities and powers" mentioned in the original 18th section, and the amendment thereof just quoted, refer to the privileges of freedom of speech, freedom from arrest on civil process during the session, the power of protecting witnesses, the power of expelling and suspending members, the power of commitment and of punishment for contempt and such other "privileges, powers and immunities" as are exclusively enjoyed by one branch of the legislature as inherent powers and privileges. In electing a Deputy-Speaker, the House of Commons of England found it necessary to obtain the authority of a statute to give validity to all acts done in the absence of the Speaker, inasmuch as the House doubted its competency to make the appointment on mere resolutions a Standing Order of its own.

Mr. Bourinot goes on to say:

> Looking into the principles that generally govern the application of the doctrine of "implied powers" to a constitution especially as laid down by Marshall, Cooley and Story—I understand that they must be construed in the present case as the power of doing simply such acts and employing such means as are necessary to the exercise or enjoyment of the office of Speaker, appointed and acting in accordance with Statute. The "implied powers" are those essential to the discharge of the duties of the office—the carrying out of the rules and usages of Parliament and the assertion and execution of the "powers, privileges and immunities" of the House under the law. The appointment of a Deputy-Speaker is not in any way absolutely essential to the due performance of the office. In all cases "the implication must be necessary, and not conjectural or argumentative." It must arise naturally from a general power, and not be strained to apply to a specific provision. Where "the means for the exercise of a granted power are granted no other or different means can be applied as being more effectual and convenient." The courts of the United States have in numerous cases prohibited legislative interference intended to add to the conditions or circumstances under which a constitutional right is exercised. We see in the cases of the Speakership of the Commons, and the deputy of the Governor-General there are express powers given to meet certain exigencies.

There is another consideration which weighs with me very much indeed, it is with regard to the question of prerogative and the fact that our Speaker is appointed by the Queen represented by the Governor-General and that by this Bill we will assume the right to place the powers exercised by the Speaker who holds his Commission from the Crown in the hands of one elected by ourselves. On that point, Bourinot says :

> The Queen, represented by the Governor-General, has, under the Imperial statute or fundamental law of our constitution, the sole right to appoint and remove the Speaker of the Senate ; and the rights of the Crown in this particular cannot be taken away by mere implication under the 18th section of the British North America Act just discussed. The prerogatives of the Crown can only be changed or taken away by express language with its expressed consent. If the Crown's rights as respects this appointment can only be taken away by Imperial legislation—the same authority that created the Senate and the Speakership—then it is difficult, if not impossible, to understand on what principle any authority can be vested in the Senate by a statute of Canada to elect the Deputy of an officer appointed in express terms by the Crown. It would be a direct interference with the prerogative of the Crown. If there is believed to be an implied power anywhere, for the appointment of a Deputy, it might be argued that it is in the Crown itself, and assuredly not in the Senate. But the doctrine of implied powers cannot be applied to change a provision of the statute, providing expressly for the appointment of a Speaker, and in the face of the fact that in all other instances where a deputy or administrator is required in the absence, illness or incapacity of a functionary—a lieutenant-governor in addition to the cases already cited—express provision is made in the British North American Act.

To my mind this question of the prerogative is one of the weightiest considerations which we must take into account when we are considering whether we are proceeding in a legal and constitutional manner in passing a Bill for the election of our own Speaker. With regard to what has taken place in the past and which has been quoted as a precedent by some hon. gentlemen, when under the special circumstances of the case in the absence of the Speaker a member of the House was called to take the Chair for the purpose of adjourning the House, there is certainly no comparison between a proceeding of that kind and the placing of a gentleman in the Chair when the House is proceeding with its legislative work. In the former case a member who was called there was simply put there for the purpose of adjourning the House and nothing more. Under this Bill the gentleman who may be put there as Deputy-Speaker will exercise all the powers of the Speaker for the time being, and the question is whether if that be not constitutional and legal we will not run great risk of our legislation hereafter being called in question. These are the considerations which weigh with me in considering this question. I was desirous of saying just these few words in reference to this matter, because I find myself placed in an unusual position. As a supporter of the Government I am exceedingly unwilling to be found voting against them, more especially on a difficult question like this on which one may well distrust one's own judgment, but I cannot bring my mind to acquiesce in the views which have been enunciated either by the Minister of Agriculture, the hon. member from Amherst, or the hon. member from Sarnia. I think we should, at all events, pause before we commit ourselves finally to legislation of this kind, great as are the inconveniences which it seeks to remedy and I would rather see some delay take place in the passing of the Bill. I quite acknowledge that it seems comparatively a small matter for us to go to the Imperial Parliament to ask them to pass an Act to place the matter beyond any doubt and whether it may be desirable to obtain the opinion from the Supreme Court as to the legality of such a procedure as this Bill contemplates is, perhaps, hardly for me to suggest, but at present I can only say with regret that I can not see my way to vote for the Bill as it now stands.

Hon. Mr. MILLER—I think the importance of this question fully justifies the most ample discussion that we can give it in this House, and although it is almost impossible to avoid repetition of part of what has fallen from gentlemen who have already spoken in the course of one's argument, I take it for granted that the House will treat indulgently any one who endeavours to throw light upon this important subject. There can be no question at all that the present condition in regard to the organization of the House, so far as the Chair is concerned, is highly unsatisfactory, and that if we have power to apply a remedy it is most desirable that we should do so. The several instances in which difficulties have occurred in connection with the Chair have been stated to the House, and I do not intend to repeat them, because as I have just said there can be no question whatever as to the expediency and desirability of supplying the want with which this Bill contemplates to deal if we have the power to do so. I am in a rather awkward position in regard to both my hon. friends who have just spoken—the hon. member from Sarnia and the hon. member from Toronto—that while on the one hand I agree with the conclusions of my hon. friend from Sarnia, I differ very much upon what he has advanced in support of that conclusion; while on the other hand, I agree with nearly all that my hon. friend from Toronto has said while differing entirely from his conclusion. And first, with regard to the important point taken by my hon. friend from Toronto—that is as to the inherent power of this House to deal with the question. I am fully in accord with my hon. friend from Toronto as well as the learned Clerk of the House of Commons with regard to the question of prescriptive or inherent right in the Parliament of Canada under our written constitution. We have no inherent right—no rights except those defined by the British North America Act, and therefore the precedent or practice of the House of Lords in connection with the subject are no guide or example for us. The practice and precedent in connection with the high office of Speaker in the House of Lords is settled by prescription, and as I have just remarked prescription does not apply in any way to the Constitution under which this Parliament exists. If we were at liberty to take the practice and precedents of the House of Lords on this question and be guided by them, there would be a clear course before us. The Crown could appoint other Speakers — not Deputy-Speakers, because there are no Deputy-Speakers in the House of Lords. They are not called Deputy-Speakers in the Journals or in the commission of appointment, although I am aware that May in referring to the *locum tenens* of the Chair in the House of Lords, calls them Deputy-Speakers, but they are called Lord Speakers or Speakers in their commission and in the Journals, and not regarded as Deputies at all. The precedents which have been cited by my hon. friend from Barrie on the occasion of his address yesterday, are precedents which we cannot accept for guidance on a question of this kind, for the reason that we exist under a written Constitution, and therefore must be exclusively guided by it; and unless we have in that written Constitution power for the law which we contemplate passing, I admit we would not be acting prudently in passing this Bill; but I believe we have distinct and ample power in section 91 of the British North America Act for this purpose. With regard to section 18, a good deal of misapprehension appears to exist in reference to the amendment made to that section. The amendment does not alter in the slightest degree its force or tenor, so far as the present question is concerned, from the clause as it originally stood in the British North America Act. In the original Act of 1867, the 18th section read so as to give such powers to the Senate and House of Commons of the Dominion as were enjoyed at the passage of that Act in 1867, by the Imperial House of Commons—that is, it gives power to the Parliament of Canada to clothe itself with such powers, privileges and immunities as were enjoyed by the House of Lords at the passage of the Act in 1867. At the time of the passage of that Act a committee of the House of Commons did not possess the power to swear witnesses and take evidence under oath. A memorable crisis occurred in the history of this country—the Pacific Railway difficulty —when it was considered desirable to have that power. Two or three years after the passage of the Act of 1867, the Imperial House of Commons did take the power to examine witnesses under oath, and it was thought the Senate and House of Commons could take that power also, and we passed an Act accordingly, but under very grave doubts by leading lawyers on both sides of the House. It was afterwards considered that we had not the power to pass that Act, because the power with which we attempted to invest ourselves under our own Act was not possessed by the Imperial House of Commons, at the date of the passage of the British North America Act, and clause 18 of the British North America Act was amended in order to give us that power; the power to clothe ourselves at any time by Act of this Parliament with any power which might be possessed by the Imperial House of Commons at the date of the passage of any Act by the Parliament of Canada. With regard to this particular question involved in this Bill the amendment to the British North America Act made not the slightest difference from the original section as it stood in the Constitution Act. With reference to that clause I am fully in accord with the hon. gentleman who has just sat down, that we do not obtain under it such power as would entitle us to pass the Bill now upon the Table of the House. My hon. friend has read so fully from the papers supplied by the Clerk of the House of Commons on the subject that it is unnecessary to go over that ground. I fully agree with the Clerk of the House of Commons that the word "powers" in that clause has relation to the words with which it is connected in the same clause—"privileges and immunities"—and confers only such powers as are germane to these subjects—powers for instance to swear witnesses, to commit for contempt, and to do other acts mentioned by Mr. Bourinot; but it does not give us power to legislate in the way of alteration of the Constitution. As to the point of altering the constitution, I contend the proposed Act is not an alteration of the constitution. I contend that it is not an infringement of the prerogative of the Crown either. In the first place, I do not concede that the executive act of the Crown in appointing the Speaker of this House is a prerogative act. It is an executive act just as the appointment of one of the judges to our Courts is. Therefore we do not interfere with any prerogative of the Crown: but even if it were a prerogative act, how can it be said that we interfere with the prerogative when the Bill would not in any way alter the status of the Speaker? We do not attempt to interfere with his status, his existence or being in any way whatever. If we were attempting to pass a law to supplant the Speaker in the Chair under his Commission from the Crown, if the question of prerogative applied, there might be some justice or force in the argument; but as we do not in the slightest degree contemplate disturbing the status of the Speaker in any way, I do not see how it can be argued that we are interfering with the power of appointment of the Crown. Respecting the course pursued in the House of Commons with regard to the election of a Deputy-Speaker in that House it is generally assumed that the British North America Act expressly gave power to the House of Commons to appoint a Deputy-Speaker, such as now exists. That however is not the case and the officer now acting in that House under Act of Parliament as Deputy-Speaker—is the creation of Parliament under its implied powers. Clause forty-seven of the British North America Act only gives express power in relation to an interim Deputy until Parliament otherwise provides. There is no express power given by the British North America Act for the creation of such a permanent officer as now exists as Deputy-Speaker in the House of Commons. I think a great deal of weight should be attached to the peculiar construction of section forty-seven. It is as follows:—

> "Until the Parliament of Canada otherwise provides in case of the absence for any reason of the Speaker from the chair of the House of Commons for a period of forty-eight consecutive hours, the house may elect another of its members to act as Speaker, and the member so elected shall during the continuance of such absence of the Speaker have and execute all the powers, privileges and duties of the Speaker."

Now from the very language used in that clause—"Until the Parliament of Canada otherwise provides"—and from the fact that this clause is merely intended to give the Parliament of Canada power for the appointment of an interim Deputy-Speaker, not such a Deputy-Speaker as exists in the House of Commons under the Act of the Parliament of Canada, I say it is clearly to be inferred that the power was in Parliament somewhere vested by the British North America Act to provide for a Deputy-Speaker as was done in 1885. Now it is said that by the appointment of a Deputy-Speaker such as is contemplated by this Bill we would be altering the Constitution. I contend that it would not be an alteration of the Constitution, for it would not interfere with the status of the Crown—appointed Speaker. The House would be constituted exactly as it was before but even if that were necessary so far as this particular object is concerned I think that we have ample and absolute power to pass this legislation. In another place the same language is used with regard to the Senate which is employed with regard to the House of Commons in the clause I have just read. By the British North America Act, the quorum of this House is fixed at fifteen including the Speaker. Now we have undoubtedly the power to fix our quorum at nine or ten or any other number if we think fit to do so. Hon. gentlemen would call that perhaps an alteration of the Constitution. There must be authority for it somewhere in the Constitution because the language of the clause is:—

> Until the Parliament of Canada otherwise provides the presence of at least fifteen members, including the Speaker, shall be necessary to consti-

tute a quorum of the Senate for the exercise of its powers

It does not specifically give power to the Parliament of Canada to alter its quorum, but it infers the power being in our possession by the words, "until the Parliament of Canada otherwise provides." It must be recollected that the Constitution under which this Dominion exists was drafted by able men and that it underwent the revision of the ablest draughtsmen and legal minds in England before it became law. I put this question to myself and I put it to the House, was it likely that in drafting the clause in reference to the Speaker of this House, giving the power to the Crown to appoint that officer—was it not most likely that these men were thoroughly acquainted with the practice and precedent of the House of Lords and that there existed a necessity for such an officer as interim Speaker when three or four such officers betimes could be found in the House of Lords. There they had before their eyes the precedents and practice of the House of Lords under which three or four interim Speakers generally existed, that they would make no provision for a substitute—is it probable, especially as they referred to the same subject as connected with the House of Commons—is it probable, having referred to the subject in connection with that House, and having made provision for an interim Deputy-Speaker, that they did not think of the necessity of having a substitute for the Speaker in the Senate—that such a probable necessity never occurred to them at all? But there is more than that. I have it on good authority that in the original Quebec Resolutions which formed the basis of the British North America Act, there was some express authority taken or given in connection with the appointment of a Deputy-Speaker in this House. It was stricken out either in the London Conference or by the draughtsmen, but having been stricken out what would be the reasonable inference to be drawn from that fact? Would it be that there would be no necessity for such an officer as Deputy-Speaker in this House? Certainly not. Then if the necessity for such an officer in this House must have been apparent to their minds, would they not have made some provision for it, and would they have striken out the clause making such provision if they had considered that the power for making such an appointment did not exist somewhere in the Constitution? I contend they would not. Perhaps the most important clause of the British North America Act is clause 91, which has been quoted by my hon. friend from Sarnia. Its language is just as comprehensive as words can make it and is expressly made, as I construe it, to meet cases not specifically enumerated in it, or exclusively given to the provincial legislatures. The language is "It shall be lawful for the Queen, by and with the consent of the Senate and House of Commons, to make laws for the peace, order and good government of Canada in relation to all matters" not exclusively given to the Provincial Legislatures. That is the meaning of the clause. The power was given to make laws on all questions not exclusively given to this Provincial Legislature, and it defined certain of the subjects with which the Parliament of Canada shall have exclusive right to deal, but it expressly says in the clause that it does not define them specifically with the intention of limiting in any way the general powers given in the first lines of that clause to the Parliament of this Dominion. Now, my hon. friend from Barrie, yesterday, in the very able and learned speech with which he favoured the House, to which we all listened with great pleasure and attention—and not one in the House more so than myself, because since the hon. member has been a member of this House it has been my good fortune to have somewhat intimate relations with him, and I have learned to prize very highly any opinion he would give on a question of this kind—I differ from the construction which my hon. friend has placed on this 91st clause, and I differ in the principle of construction he has applied to it. My hon. friend has said that these words must have alluded to the subjects specifically mentioned in the 91st section and delegated to the Parliament of Canada. As I view the clause it was unnecessary to do anything of that kind, because every subject mentioned here as within the exclusive power of the Parliament of Canada, carried with it every other subject incidental to it, and consequently everything that was necessary to be enjoyed by the Parliament of Canada, in dealing with one of these subjects was given expressly by the different divisions of that clause. My hon. friend says it is only questions germane or cognate to these specific subjects that were intended to be included in the general and comprehensive opening lines of section 91. I believe that the very opposite is the case—that those lines were put there for the purpose of comprehending powers of legislation that could not specifically be put there. The specific powers were given "for greater certainty but not so as to restrict." This language taken in connection with the first part, the clause appears to me to be conclusive. By the enumeration of certain subjects which were to come exclusively under the jurisdiction of this Parliament—it must and could only have meant that apart from these, all matters that were not exclusively given to the local Legislatures—even with the powers of this Parliament—that is the only limit as I contend under that general section and the general powers of Parliament to pass all laws whatever they may be, for the peace, order and good government of Canada. I do not wish to trespass unnecessarily on the time of the House in further elucidating this point.

Hon. MEMBERS—Go on, go on!

Hon. Mr. MILLER—I think the whole question is in a nut shell. I agree with my hon. friend from Toronto and Mr. Bourinot that clause 18 of the British North America Act does not give us the power to pass this Bill, I agree with him that the subjects enumerated by Mr. Bourinot are the real class of cases over which power was intended to be given to the Parliament of Canada in that behalf. While I can abandon every contention that has been made by the hon. member from Amherst under that clause and the amendment to it which, as I have shown the House, did not affect in the slightest degree the original clause as it stood in the British North America Act—while I have given the benefit of every doubt on that point, I claim still that under the 91st section of the British North America Act, we have ample power to pass this Bill. Strange to say, in the opinion which has just been read by the hon. member from Toronto as emanating from the Clerk of the House of Commons, that gentleman does not refer to clause 91, in which, in my opinion and in the opinion of men whose judgment is entitled to much more consideration than mine, the whole thing is involved. I therefore should give my support to the Bill. As my hon. friend from Sarnia says, it will have to run the gauntlet of the House of Commons where there are men very well able to sift and investigate it. It will have, of course, to receive the Governor-General's assent, and it will be disallowed in England if it is considered to be unauthorized by the provisions of the British North America Act. I think we want this Bill; the necessity has been fully dilated upon by the hon. gentlemen who have preceded me. With these few observations I have only to say that I shall be very happy to vote for the Bill, and if the suggestion thrown out by the hon. member from Barrie is entertained by the Minister in charge of the Bill, of appointing a special committee, it might not be an unwise step. Such a Committee would be well suited to investigate the subject fully, and might recommend the postponement of it until another session, if strong doubts were entertained of our power to deal with it. But I think some action should be taken to deal with what is justly considered a defect in the organization of this House.

The Debate was adjourned until to-morrow.

THE SCHWALLER DIVORCE BILL.

THIRD READING.

Hon. Mr. GOWAN moved the adoption of the Report of the Select Committee on Divorce *re* Bill (J) "An Act for the relief of John Francis Schwaller." He said the preamble in this case was fully and satisfactorily proved.

The motion was agreed to.

Hon. Mr. CLEMOW moved that the Bill be now read the third time.

The motion was agreed to and the Bill was read the third time and passed.

WRECKS AND SALVAGE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (3) "An Act to amend the Wrecks and Salvage Act." He said:—This is a very simple amendment to the Act. The change is made in order to facilitate the more rapid investigation into wrecks, or any difficulties that may arise in connection therewith. Any hon. gentleman who will turn to the 81st chapter of 49th Victoria, will find it reads as follows: "On the conclusion of any such inquiry the officer who made the same shall send to the Minister for the information of the Governor in Council, etc." The proposal of this Bill is to leave out the words "the Governor in Council." The 8th section reads as follows: "If it appears to the Governor in Council in any case as aforesaid, either upon or without any such preliminary inquiry as aforesaid, or in case of a charge of misconduct or incapacity brought by any person against any master or mate of any ship, when a formal investigation is requested or expedient, the Governor may appoint any officer or officers of the Government of Canada, etc." The amendment provides for the striking out in this case in the first line the words "Governor in Council" and substituting the word "Minister;" to omit again in the sixth line the words "Governor in Council" and insert in lieu thereof the word "Minister." That will enable the Minister, immediately upon a wreck taking place, in which an investigation is deemed necessary, to send an officer at once without waiting until the Council meets to obtain the authority of the Governor in Council; and it will enable also the Minister to deal with the question immediately on receipt of the report instead of waiting for the Council to meet and obtaining the authority which is necessary under this Act. The House will readily see that delays must necessarily take place in a case of that kind. The result has been in the past that in many instances, where the Minister has been obliged to wait until he obtained the authority of the Governor in Council to appoint an officer to make this investigation, that the witnesses have all left the country. Hon. gentlemen from the Maritime provinces know the character of sailors generally and those whose evidence would be required in these investigations. The object of the Bill, which I think will readily receive the assent of the House, is to give power to the Minister to act immediately upon receiving information of wrecks in any portion of the Dominion, and to decide immediately upon receipt of the report.

The motion was agreed to, and the Bill was read the second time.

PARLIAMENTARY FEES BILL.

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (61) "An Act respecting the disposal of moneys paid in connection with proceedings before Parliament." He said:—The practice has prevailed in both Houses of Parliament in Canada of receiving fees for Bills or other purposes and placing them to some particular account. In the House of Commons it is to the credit of the Clerk of the Railway Committee, or the Contingent Accounts, I am not sure which, and I believe the same system has prevailed here; and then in cases of re-payment of a fee for a Bill which had not passed, or for the purpose of paying for printing or other purposes, the Clerk has had power to give his cheque and the balance, whatever it might be, was paid to the credit of the Receiver-General. The object of this Bill is to provide that all moneys that are paid, either to the Clerk or any official or officer of either House, shall be placed at once to the credit of the Receiver-General; and then when Parliament remits or refunds any sum or any fee that has been paid to this account, it should be regularly checked out and audited and paid by the Auditor-General. The principle involved in the Bill applies to all moneys collected by officials, whether in the Customs, Inland Revenue or any other Department of the Government, although it did not formerly. I remember at one time where they collected cartage fees, and insurance fees and warehouse fees it used to be credited to the Collector, who paid the temporary employees out of this fund, and any balance went to the credit of the Receiver-General; or if there was not enough, they paid from the general fund of the Dominion. I thought that it opened a wide door for the disposal of money improperly if the parties were not thoroughly trustworthy. An order was passed at once that all moneys so collected should pass to the credit of the Receiver-General, and that all bills should come under the supervision of the head of the department, and moneys paid for temporary work done should go direct and be chargeable to the several ports. Under the old system it did not so appear. Contingencies for extra work might run up to $10,000 or $20,000 a year. The fund received in the way I have indicated would be used for the purpose of paying them, and if it met the whole of the expenditure, then the actual expenses of the port would appear to be so much less than it was really; if it did not meet the whole of those expenses, then the expenditure, to the extent to which the amount of these fees was less than the amount paid out, would appear against the port. The Finance Minister in introducing this into the Lower House—and I believe the Auditor-General has also insisted upon it—said that all moneys should pass to the credit of the Receiver-General, so that they could be properly audited, and that all funds paid, whether to the Senate or to the House of Commons, should be treated precisely in the same way as any other amounts.

Hon. Mr. McKAY—The hon. Minister is slightly mistaken in regard to payments received by the Senate. For the last four or five years the Senate has been in the habit of paying all the money received for private Bills to the credit of the Receiver-General, as this bill proposes to provide, and those moneys have been checked out in the way here proposed. What I wish to call attention to more particularly, is the fact that this Bill proposes to take away some of the privileges of the Senate. Our privileges are going one by one, and this is another step in the direction of diminishing our powers.

Hon. Mr. BOWELL—Will the hon. gentleman point out in what way the privileges of the Senate are being diminished, in order that I may look into the question? If this Bill is depriving the House of any of its privileges, I shall bring the matter to the notice of my colleagues before pushing it further. I know I have correctly stated the practice which prevails in the House of Commons, and I was informed that the same system existed here.

Hon. Mr. SCOTT—No.

Hon. Mr. McKAY—The present system in the Senate was adopted in 1887, and what I wish to point out is that this Bill proposes to establish the system by act of Parliament and remove the matter entirely from our control.

Hon. Mr. MILLER—It would give the Auditor-General complete control over the expenditure and take the control from the House.

Hon. Mr. POWER—It has been the practice of this House to pay out sums on the Clerk's cheque in cases which come altogether within the jurisdiction and control of the Senate. I have very grave doubts as to whether the Clerk would be able, after this Bill became law, to pay money in the same way on the order of the House. The Bill provides that every payment is to be made by "the Senate and House of Commons." If that means that the two Houses must concur, then the clause requires amendment. Many of those payments have been made, not under rules or Standing Orders, but by direction of the House. I think it ought to be made perfectly clear that money deposited with the Clerk of the Senate may be withdrawn on the order of the House.

Hon. Mr. McDONALD (N.S.)—There is another point worth considering—the Auditor-General may refuse to obey a resolution of this House.

Hon. Mr. BOWELL—The Auditor-General is the servant of Parliament, and if an order is given to pay he is obliged to comply with it.

Hon. Mr. MILLER—The resolution of this House would not be law: he would not obey a resolution of this House, if, in his opinion, it conflicted with the law.

The motion was agreed to and the Bill was read the second time.

SECOND READING.

Bill (34) "An Act to incorporate the Woodmen of the World." (Mr. Vidal.).

EQUITY INSURANCE COMPANY'S BILL.

SECOND READING.

Hon. Mr. MacINNES (Burlington) moved the second reading of Bill (62) "An Act to revive and amend the Act to incorporate the Equity Insurance Company, and to change the name of the Company to the St. Lawrence Insurance Company." He said:—The object of this Bill is to revive a charter which was never used and to change the name of the company.

Hon. Mr. POWER—My hon. friend, Mr. Pelletier, who is absent from the House today, asked me to call the attention of the Committee to which this Bill is to be referred to the fact that the name which this company, as reorganized, proposes to take is a name which has already been appropriated by a fire insurance company in the city of Quebec, incorporated by the Legislature of the province of Quebec. The local charter is chapter 81 of the Statutes of 1886. Hon. gentlemen will see that it would be exceedingly inconvenient to have two companies known by the name of St. Lawrence.

Hon. Mr. MacINNES (Burlington)—I will see that the Bill is made satisfactory in the Committee.

The motion was agreed to and the Bill was read the second time.

OCEAN ACCIDENT CORPORATION BILL.

SECOND READING.

Hon. Mr. FERGUSON moved the second reading of Bill (39): An Act to incorporate the Ocean Accident Corporation. He said:—This is a Bill which was left over yesterday, the House being under the impression that it was the same as a Bill that had just passed its third reading. If hon. gentlemen will examine this Bill they will find that although the same persons are being incorporated the two Bills are for different objects.

The motion was agreed to and the Bill was read the second time.

The Senate adjourned at 6.15 p.m.

THE SENATE.

Ottawa, Monday, March 20th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THE CLAIM OF MICHEL GOSSELIN.

MOTION.

Hon Mr. BELLEROSE moved:—

> That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will cause to be laid before this House, a copy of all documents in relation to the demand of Michel Gosselin, Half-breed, living at Roseberry, Manitoba, and claiming an indemnity for losses sustained during the troubles in the North-west in 1869 and 1870.
>
> Also, a copy of all correspondence exchanged between the Dominion Government and the said Michel Gosselin in relation to the said claim.

He said (in French)—On the 12th September, 1890, Michel Gosselin wrote Sir John Macdonald claiming an indemnity for losses he had suffered in 1869-70. To this Mr. Pope, Sir John's secretary, answered that Sir John had instructed him to say that the Minister of the Interior was then absent, but on his return the matter would be submitted to him and justice would be done. Some time after the Minister of the Interior wrote to Gosselin stating that he had nothing to do with the matter and that he should apply to the Secretary of State. Gosselin wrote to the Secretary of State who referred him back to the Minister of Interior. This is the information supplied to me. I want to see the papers to know if it is correct. If the statement is true it is not extraordinary that the people of the North-west have been so often agitated by difficulties thrown in their way and the injustice they have suffered.

The motion was agreed to.

THE GOFF DIVORCE BILL.

THIRD READING.

Hon. Mr. GOWAN moved the adoption of the report of the Select Committee on Divorce, *re* Bill (K) "An Act for the relief of Annette Marion Goff." He said:—In a long experience in respect to criminals and criminal procedure, and some in divorce matters, I do not recollect a single instance in which greater cruelty, brutality and heartlessness on the part of a husband has been proved than in the case now before us, nor do I recollect any instance in which the long forbearance and desire to forgive of woman has been more constantly displayed.

The charges were proved, and the committee without the slightest hesitation decided to recommend that the Bill be passed.

The motion was agreed to.

Hon. Mr. CLEMOW moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time and passed.

SECOND READINGS.

Bill (56) "An Act to revive and amend the Act to incorporate the Moncton and Prince Edward Island Railway and Ferry Company." (Mr. Poirier.)

Bill (68) "An Act respecting the Columbia and Kootenay Railway and Navigation Company." (Mr. McInnes, B. C.)

Bill (67) "An Act to revive and amend the Act to incorporate the North Canadian Atlantic Railway and Steam-ship Company." (Mr. Casgrain.)

TRANSMISSION OF TIMBER BILL.

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (S) "An Act further to amend the Act respecting Joint Stock Companies to construct works to facilitate the transmission of timber down rivers and streams."

Hon. Mr. POWER—Perhaps the hon. gentleman is in a position to assure the House that the rates authorized under this Bill are not higher than at present.

Hon. Mr. BOWELL—I made particular inquiries on that point before introducing the Bill and I am assured that there will be no increase—that it is a decrease, on the whole, but a redistribution to make the charges more equitable than they were under the old law.

The motion was agreed to and the Bill was read the second time.

SPEAKER OF THE SENATE BILL.

DEBATE CONCLUDED.

The order of the day being called—

Resuming the adjourned debate on the motion of Hon. Mr. Angers for the second reading of Bill (N) "An Act respecting the Speaker of the Senate."

Hon. Mr. POWER said :—Hon. gentlemen, with respect to this Bill, the members of the House occupy a very unusual, and I think a very desirable position. All the members of the House are satisfied that the present condition of the law is open to objection, and all wish that the result which is aimed at by this Bill, or some similar result may be reached. There are no politics in the Bill, and the members of the House are in a position to approach it in a perfectly unprejudiced frame of mind; and I think our great object in dealing with a measure of this kind should be not to allow our minds to be influenced by our wishes in any way. It is one of those cases where we should try to see that the wish is not father to the thought. The very fact that we are all anxious that this Bill, or something like it, should become law, is perhaps a reason why our judgment may be blinded, and it is a reason why we should decide carefully and after full consideration. Now, this must be borne in mind, hon. gentlemen, that, while the Bill is a very desirable one to pass, there is no absolute necessity for it. It is not a Bill of urgent necessity. We have existed twenty-six years without it, and have succeeded in doing pretty well, although during the greater part of these twenty-six years the country has been governed by the wrong people.

Hon. Mr. READ—It has only been misgoverned five years.

Hon. Mr. POWER—Clearly, if we find, or if we have reasonable ground for thinking, that there is any substantial doubt as to our power to pass the Bill, there is no urgent necessity for passing it now. As we have got along twenty-six years without it, we can get along for a few months more. If we consider what consequences may follow from this Act, if we have not the power to pass it, we shall be further disposed to hesitate and be cautious. If we have not the power to pass this measure, and do so and act upon it, it may be that some very important Bill passed when the officer whom this Bill provides for occupies the Chair of the Senate may be held to be invalid on the ground that the Bill had not got three readings in a properly constituted Senate; and one can readily imagine the trouble and confusion that might arise if our legislation was to open any question such as that. There is another circumstance to bear in mind. On a former occasion this Parliament, acting on the provisions of the 91st section, or relying at any rate, to a very considerable extent upon the provision of the British North America Act which authorizes the Parliament of Canada to pass all laws for the peace, order and good government of Canada, passed a bill intended to authorize a committee of the House of Commons to take evidence on a very important public matter which involved the credit and welfare of the country; and the measure passed at that time was passed very largely upon the opinion of Dr. Todd, the Librarian of Parliament and an authority on Parliamentary law and practice recognized all over the English speaking world; but after that Bill had become law, as far as we could make it law, it was submitted to the law officers of the Crown of England and they decided, apparently with little hesitation, that we had gone beyond our powers and had infringed upon the powers of the Imperial Parliament.

Hon. Mr. GOWAN—Hear, hear.

Hon. Mr. POWER—And this Parliament was placed in what we must regard as a somewhat humiliating position, and had to ask the Imperial authorities to secure the passage through the Imperial Parliament of a Bill giving this Parliament power to pass such a measure; so, hon. gentlemen, I say that unless we are very clear about our right to pass this Bill, we should be unwise to pass it. Before attempting to put my own views in the matter before the House—that is undertaking to argue the question—I wish to call attention to a somewhat remarkable circumstance. Four hon. gentlemen have addressed this House in support of the measure. Two of those hon. gentlemen, the Minister of Agriculture, who introduced the measure, and the hon. gentleman from Richmond who sits beside him and who spoke before me and made a powerful speech—rested their contention that this Parliamnt had a right to pass such a measure as this solely on the 91st section of the British North America Act. Those two hon. gentlemen recognized the fact that outside of the 91st section we had not the power. On the other hand, the hon. gentleman from Cumberland, if I understood him correctly, did not think we had the power under the 91st section, but thought we had it under the earlier sections of the British North America Act and under the Act of 1875, the Imperial Act amending the British North America Act. The hon. gentleman from Sarnia, if I apprehend his argument correctly, was of opinion that we had a right to act under the 91st section and under the earlier sections as well.

Hon. Mr. VIDAL—And the inherent right besides.

Hon. Mr. POWER—So, when the hon. gentlemen who favour this measure differ in their views in such a decided way, I think the House will have reason to hesitate before concluding that we have the power to pass the measure. If it cannot be done under the 91st section, as the hon. gentleman from Amherst contends, then the only way in which it can be done is under the earlier sections; and if it cannot be done under the earlier sections as the Hon. Minister of Agriculture, and the hon. gentleman from Richmond contend, then the only way in which it can be done is under the 91st section; and there you have the hon. gentlemen who support the Bill practically nullifying one another's arguments. I think that is a view of the matter which deserves consideration. Hon. gentlemen, this matter is not now before Parliament, (at any rate it has not been considered by the Government of the day) for the first time. This House has been led since 1867 by two very distinguished gentlemen—men distinguished for their experience in public affairs and their knowledge of constitutional law, Sir Alexander Campbell and Sir John Abbott. When Sir Alexander Campbell led the House a measure looking in the same direction as this was prepared, but the Government came to the conclusion that there was a doubt about the right of this Parliament to adopt such a measure and the measure was not pushed. While Sir John Abbott was leader of this House he also considered the matter, and I am informed that he, who was a particularly skilful interpreter of statutes, concluded that this Parliament had not the power to pass such a measure. The natural conclusion is, I think, that, when hon. gentlemen like those, who were anxious that some such measure should be adopted, could not see their way to adopt it, we have not the right to pass this measure, and that we should be unwise not to follow the footsteps of our predecessors. I know it has been alleged by some hon. gentlemen that section 91 was not considered on former occasions, and that the theory that we can pass this measure under the introductory paragraph of section 91 of the British North America Act is a new one. I think that we should all be disposed to look with suspicion upon alleged discoveries of previously undiscovered provisions in a statute which has received so much careful consideration at such skilful hands as has the British North America Act. The presumption is, looking at all the circumstances of the case, that that section 91 was considered. When the former authorities, anxious to exert their powers, considered the question whether they had the right to exercise this power or not, I think that it is unreasonable to suppose that it would not have occurred to them to see whether they had the power under section 91. I am satisfied, hon. gentlemen, that they did this and that they satisfied themselves that they had not the power. This inaction of Parliament on previous occasions is a very strong argument indeed in favour of our not acting now.

Leaving the past, I may say, as to the question of our right to legislate under other portions of the British North America Act than section 91, or under the Imperial Act of 1875, that there is very little to be added to the very able argument submitted to the House by the hon. gentleman from Barrie. It is true that that hon. gentleman did not deal with the claim advanced by the hon. Minister of Agriculture that we could act under section 91; but that is not at all remarkable, because the hon. gentleman from Barrie had no reason to suspect that any such claim would be set up. The views of Dr. Bourinot, as set forth in a memorandum quoted by the hon. gentleman from York division, were similar to the views expressed by the hon. gentleman from Barrie; and, since the measure was introduced, I have seen Dr. Bourinot, and he expresses the opinion that we have no power under section 91 to pass this measure, and that the new position assumed by the Government is untenable. However, at the risk of repeating what has already been said, I shall attempt to state briefly the arguments against adopting this measure apart from section 91. In the first place, it must be borne in mind that the Senate has no inherent powers. The hon. gentleman from Sarnia spoke of the Senate as having the right to do this owing to its inherent powers. The Senate is the creature of a statute; it is just like a County Council or any other comparatively inferior body. It is the creature of a statute and cannot do anything beyond what it is authorized to do by the statute. It has no implied powers, beyond those derived by necessary implication from the constituent act, and there are certainly no inherent powers. Turning to the portion which establishes the legislative body—the Parliament of the Dominion—the first section, we find, that might seem to deal with the question before us, is the 18th as amended by the Imperial Act of 1875.

Hon. Mr. POIRIER—It is repealed altogether.

Hon. Mr. POWER—The Act of 1875 has been substituted. The 18th section has been repealed and another section substituted. That section reads as follows—the new section 18—

> The privileges, immunities and powers to be held, enjoyed and exercised by the Senate and by the House of Commons, and by the members thereof, respectively, shall be such as are from time to time defined by the Parliament of Canada, so that any Act of the Parliament of Canada defining such privileges, immunities and powers, shall not confer any privileges, immunities or powers exceeding those at the passing of such Act, held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the members thereof.

That section is substituted for section 18, and in my humble opinion that section affords the very strongest argument which can be found in favour of the proposed legislation; but I do not myself feel satisfied that we have under that amendment the right to adopt the proposed legislation. There are more objections than one. In the first place, hon. gentlemen, the 18th section, even in its new form, does not deal with the constitution of the Senate, but with the privileges, immunities and powers of the Senate when duly constituted. Later on we are told how the Senate is to be constituted for the despatch of business; but as I understand it, this section deals with the privileges, immunities and powers of the members of the House when duly constituted. The view adopted by Bourinot is that it does not extend to such a measure as the one before us, but refers to those privileges, immunities and powers dealing with such things as the protection of witnesses, examining witnesses under oath, freedom of speech, exemption from arrest under civil process and other things of that sort. Although the House of Commons of England is not, like this Senate, the creature of a statute, but is a constituent body, that House felt doubtful about the right to appoint a Deputy-Speaker, and on account of that doubt an Imperial Act was passed for the purpose; and if it is the case that the House of Commons of England had not the power, *a fortiori* this Parliament has not the power.

Hon. Mr. McINNES—When did they pass that Act?

Hon. Mr. POWER—I do not remember the date. In the face of the provisions of the British North America Act which deal with the office of Speaker, we have no right to provide for such an officer, more particularly as our constituent Act makes a different provision; and on this point I am happy to say that the Minister of Agriculture and the hon. gentleman from Richmond agree with me. Coming to the sections of the Act which provide for the constitution of the Senate: section 34 provides for the appointment and removal of the Speaker.

> The Governor-General may from time to time, by instrument under the Great Seal of Canada, appoint a Senator to be Speaker of the Senate, and may remove him and appoint another in his stead.

The language of that section implies that the person acting as Speaker shall be appointed by the Governor-General, in the Queen's name, as Senators are appointed. The Bill before us makes a totally different provision. It provides that the place of this Speaker may be taken by a gentleman elected by the Senate; and I contend that the proposed measure conflicts directly with this section of the British North America Act, and that we cannot infringe upon the power of the Crown represented by the Governor-General without the authority of an Imperial Act. Section 35 reads as follows:—

> Until the Parliament of Canada otherwise provides, the presence of at least fifteen Senators, including the Speaker, shall be necessary to constitute a meeting of the Senate for the exercise of its powers.

The natural construction of that is, I think, that the Speaker is a necessary, component part of the Senate, to constitute a meeting for the exercise of its powers. The fact that the expression "until the Parliament of Canada otherwise provides" is used, indicates that this provision is a temporary one—that the Parliament of Canada can either increase or decrease the quorum; and it may be urged—I presume the hon. gentleman from Amherst may urge—that under this section the presence of the Speaker may be declared not necessary to constitute a quorum. I hardly think that that argument should prevail. If we look at the next section, I think it will appear that the Speaker is always supposed to be present. Section 36 is as follows:—

> Questions arising in the Senate shall be decided by a majority of voices, and the Speaker shall in all cases have a vote, and when the voices are equal the decision shall be deemed to be in the negative.

If we take the section with respect to the quorum in the House of Commons, I think that our conviction that the Speaker of the Senate must be present will be strengthened. For the phraseology with respect to the House of Commons is different from the phraseology with respect to the Senate. As to the Senate the section says "until the Parliament of Canada otherwise provides, the presence of at least 15 senators, including the Speaker, shall be necessary to constitute a meeting of the Senate for the exercise of its powers." Section 48 says:—

> The presence of at least 20 members of the House of Commons shall be necessary to constitute a meeting of the House for the exercise of its powers; and for that purpose the Speaker shall be reckoned as a member.

In one case 20 members of the House constitute a quorum; in the other 15, one of whom must be the Speaker. The language with respect to the Speaker of the House of Commons is different from the language with respect to our Speaker. Section 47 which deals with the absence of the Speaker of the House of Commons is altogether different from the language used as to our Speaker:—

> Until the Parliament of Canada otherwise provides, in case of the absence for any reason of the Speaker from the Chair of the House of Commons for a period of forty-eight consecutive hours, the House may elect another of its members to act as Speaker, and the member so elected shall, during the continuance of such absence of the Speaker, have and execute all the powers, privileges and duties of Speaker.

The fact that a provision is made for the absence of the Speaker of the House of Commons, while no provision is made for the absence of the Speaker of the Senate, is a very strong argument against our having the right to provide for the absence of our Speaker. Where the Parliament in England, in a Bill such as this, drawn, as the hon. member from Richmond said, by skilled English draughtsmen, undertakes to deal with similar cases as two different Houses, and inserts a provision for the absence of such an important officer as the Speaker in one House, and omits any reference to the absence of the Speaker in the other House; that is almost conclusive evidence that the intention was not to provide for the absence of the Speaker in the latter House. Hon. gentlemen contended that we might imply the right to provide a Deputy-Speaker because it would be a convenient thing; but this difference in the phraseology would hinder us from implying any such provision as to the Senate. Where the provision is expressed in one case and omitted in the other, it is a well known rule of construction that you cannot imply the insertion of the provision, where it is omitted. Upon this point, the case is even stronger, because we have not only the case of the Speaker of the House of Commons, but the case of the Governor-General. I have read the provision as to supplying the place of the Speaker of the House of Commons. Section 14 of the British North America Act, provides for the case of the Governor-General. It is as follows:—

> It shall be lawful for the Queen, if Her Majesty thinks fit, to authorize the Governor-General from time to time to appoint any person or persons jointly or severally to be his deputy or deputies within any part or parts of Canada, and in that capacity to exercise during the pleasure of the Governor-General such of the powers, authorities and functions of the Governor-General as the Governor-General deems it necessary or expedient to assign to him or them, subject to any limitations or directions expressed or given by the Queen; but the appointment of such a deputy or deputies shall not affect the exercise by the Governor-General himself of any power, authority or function.

More than that, when we turn to section 67, we find:—

> The Governor-General in Council may from time to time appoint an Administrator to execute the office and functions of Lieutenant-Governor during his absence, illness or other inability.

That is, during the absence or inability of the Lieutenant-Governor. So in our constitutional Act you have a provision made for the absence of the Speaker of the House of Commons; you have a provision made for the absence or incapacity of the Governor-General, and you have a provision made for the absence or incapacity from any cause of the Lieutenant-Governor; but there is no provision made for the absence or incapacity of the Speaker of the Senate. I must say that I think the argument to be drawn from that is almost irresistible in favor of the absence of any power in Parliament to provide for that event. I may say, although it is not a very important matter, that in the framing of the United States constitution it was thought necessary to make a special provision for the absence of the President of the Senate of the United States. There is another circumstance, not a very important one, but still one of considerable weight, pointed out by Dr. Bourinot in his work and also in the memorandum read by the hon. gentleman from York—that the Legislative Council of old Canada had no power and never claimed the right to appoint a Deputy-Speaker, and that even the Legislative Assembly of old Canada had not the power to appoint a Deputy-Speaker until they got it through Imperial legislation.

Turning to section 91, the section upon which the hon. Minister of Agriculture bases his authority for proceeding with this measure, I shall first read the portion of it upon which the hon. gentleman bases his claim:

> It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order and good government of Canada, in relation to all matters not coming within the classes of subjects by this act assigned exclusively to the Legislatures of the provinces; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in this Act) the exclusive Legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated.

The British North America Act was an Act which was drawn with very considerable care, as one would naturally expect; and it was drawn upon a plan which can be recognized in the Act itself. The earlier sections of the Act provide for the creation of a Parliament for Canada. There are general headings each covering a number of sections. Part Three provides for the Executive power; part Four for the Legislative power. That is it provides for the constitution of the Parliament which is to do the legislative work for the Dominion. Part Five is under the heading "Provincial Constitutions." Then part Six—the two preceding parts having created a Parliamentary machine to do the legislative work of the Dominion, and Legislative machines to do such work for the different provinces—goes on to provide for the distribution of power between the Parliament and these local Legislatures. And the object of these two or three sections, 91, 92, and one or two later sections, is to separate the matters which are to be dealt with by the large machine here at Ottawa from the matters which are to be dealt with by the smaller machines in the various provinces. This part does not undertake to deal with the constitution of Parliament at all. It deals with the subjects that are to be handled by Parliament and by the legislatures respectively. Section 91 enumerates a great many subjects on which Parliament may legislate, and inasmuch as any enumeration made by man is sure to be imperfect, and as the intention of the Imperial Parliament was to give all powers not expressly given to the local legislatures to the Dominion Parliament, the vesting of this residuum of power, as one may call it, is provided for in the language just quoted. Apart from any rules of construction, I do not think that any one would expect to find that, where the Imperial Parliament had, in the portion of the Act dealing with the constitution of Parliament, and without reserving any power of alteration to this Parliament, made certain provisions with respect to the constitution of the Parliamentary creature—this Canadian Parliament—different provisions were contained in a portion of the constituent Act relating to a different subject altogether. It could not be expected that in the latter part which did not profess to deal with the constitution of Parliament, power would be given to alter and amend the Act, counter to the provisions contained in the earlier portions, which avowedly and directly dealt with the constitution of Parliament. If this view as to the force of section 91, which is now propounded publicly for the first time, be correct, there was no necessity for the Imperial Act of 1875; because clearly, as Dr. Todd argued very strongly, that Act was one necessary for the peace, order and good Government of Canada. It is doubtful if you could say that this Bill has to do with the peace, order and good government of Canada. It is simply an Act relating to the internal management of Parliament. Notwithstanding that argument of Dr. Todd, the Law Officers of the Crown, held that his view was unsound as to the Act with respect to examining witnesses under oath; and I am quite satisfied that the same Law Officers of the Crown or their successors will come to the same conclusion about this Act if we pass it. If this view were a sound one it would have influenced the Law Officers of the Crown as to that former Act.

Hon. Mr. GOWAN—It is not lifted into the higher sphere, as Lord Hobhouse, one of the Lords of the Privy Council in a case under the Temperance Act said. It must be lifted into the higher sphere as my hon. friend has contended.

Hon. Mr. POWER—I have tried to show that this measure would run counter to the earlier portions of the British North America Act. The hon. member from Richmond said that in this measure we did not attempt to touch the Speaker; but I do not see how that could be contended, because we in this measure attempt to provide that the important duties which by the British North America Act are assigned exclusively to an officer appointed by the Governor-General in the Queen's name shall be performed by an officer elected by ourselves. I think that is a very serious interference. I may add that I do not think there is much force in what was said about the skilled draughtsmen of the British North America Act, that is in the direction indicated by the hon. gentleman from Richmond. If the draughtsmen of the British North America Act were skilled, as I readily admit they were, we must presume that they knew what they were doing, and that the Bill which they drafted expressed their meaning; and inasmuch as the old Legislative Council of Canada had not the power to appoint a Deputy-Speaker, the probabilities are it was not thought necessary or desirable that the Senate should have that power; and if as the hon. gentleman from Richmond said, in dealing with the Senate, the draughtsmen of that Act were influenced by English ideas and took for granted that the Senate would have the right to appoint a Deputy-Speaker, why did not they take the same view with respect to the Commons? Why did they make a special provision as to the Speaker of the Commons? My view with respect to section 91, summed up, is that under the general language of section 91, the Imperial Parliament did not intend to allow this Parliament to alter its own Constitution; that under this general language as to certain subjects which might be dealt with by this Parliament as distinct from those to be dealt with by the Local Legislatures, it never could be supposed that the Imperial Parliament intended that we could alter our own Constitution. See how careful the Imperial Parliament was, and how careful those draughtsmen were, to see that there should not be any doubt, where they did intend to make a provision of this sort. Through Part 5 of this British North America Act one often comes across the words "until the Legislature of Ontario otherwise provides," or "until the Legislature of Nova Scotia or New Brunswick otherwise provides"; so that it is implied in the sections dealing with the Provincial Legislatures that there is a good deal left to them. Still in section 92, when the Imperial Parliament comes to deal with the exclusive powers of the legislature, what is the first thing that it assigns to the Provincial Legislatures? "The amendment from time to time, notwithstanding anything in this Act, of the Constitution of the province, except as regards the office of Lieutenant-Governor." Now, if it had been the intention of Parliament to allow the Canadian Parliament to alter its own Constitution and to vary the provisions made by the Imperial Parliament, there would have been something perfectly clear and unmistakable about it. As I have said before, the British North America Act provides that the Senate shall be constituted for the discharge of its functions as a Senate, as a branch of Parliament, when there is a Speaker appointed by the Governor-General in the Chair. This Bill proposes to repeal that provision *pro tanto*, and to provide that this Senate shall be constituted for the discharge of its functions when there is a gentleman selected by ourselves in the Chair. I think there is a direct conflict between the two provisions. I think it would be wiser for us not to pass the Bill, for the various reasons I have given; that the prudent leaders of opinion in this House in the past refrained from doing so because they thought we had not the power; because it is clear, I think, and it is admitted by the hon. gentleman who introduced the measure and by the hon. gentleman who sits beside him, that we have no power to do it outside of section 91. I think it is also just as clear, in my humble opinion at any rate—and I understand in the opinion of the hon. gentleman from Amherst—that we have not the power under section 91; and it is wiser not to pass the Bill because the evil effects of passing this Bill, if we have not the power to do it, would be very considerable; and further I think it is not necessary, for this reason: the end which is desired to be reached by this Bill can be reached with certainty and with about as much speed by an Address to the Crown asking for the passage of an Imperial Act to the same effect. The Imperial Parliament is sitting now, and a measure of this sort would be passed, as a matter of course, through all its stages in a comparatively short time, and would become law before we met here again; and we should be in a position at the opening of next session to make the provision which hon. gentlemen desire to make by this measure. There would be no question whatever then as to our entire power to do what had been done, and we should feel perfectly safe and easy as to all the measures which this Parliament subsequently passed; and there is this further thing about that course, which I think should recommend it to hon. gentlemen who lead the Government here, that we would not run the risk of being humiliated as we have been humiliated before by being told by the law officers of the Crown in England that we had done that which we had no right to do. There is no doubt about our right to present that Address, and there is no question but that the measure would be passed almost immediately by the Imperial Parliament; and I think hon. gentlemen that is a wise and prudent course, and the only course for us to take.

Hon. Mr. VIDAL—There is one point in my remarks, what I consider one of the strongest, which the hon. gentleman has failed to take any notice of—that is the power of the House of Commons under section 42. When the Speaker is absent from the Chair it is provided that the House shall elect a person to occupy the Chair. Now the Act passed in 1885, says that the Speaker may call any one to take his place in his absence at any time; that, according to the hon. gentleman's theory, is unconstitutional, and if the Speaker carried out that very law now, the action of the House might be called into question because the Speaker was not in the chair.

Hon. Mr. POWER—The hon. gentleman probably has not adverted to the fact that the 47th section in its very language shows that it is only a temporary provision, that it only provides for the absence of the Speaker until the Parliament of Canada has made other provisions. The Act of Parliament of Canada which the hon. gentleman said was passed under that section makes other provisions for the filling of the chair in the absence of the Speaker.

Hon. Mr. KAULBACH—My hon. friend from Halifax has sought to limit section 47 to the House of Commons, but I contend that this power runs through the whole of the British North America Act "until such time as Parliament otherwise provides." We have many things here in this Act, and they with this Bill come under this general power given to us under this Act; it gives us the power to do what we are doing now. This is a cognate case—as justifiable as the Act of 1885—appointing a Deputy-Speaker to the Commons when we changed the 47th section as we did in 1885, just the same rule and principle does and would apply now. My hon. friend starts with telling us that it would be better if we would take another course. I have had that opinion myself; and if we by a joint Address of both Houses ask for an amendment of the Act, the result might be accomplished, but my hon. friend forgets that we might be stultifying ourselves even in that case; we might be told that we had the power already and why should we come to them to ask a power which we had. We might actually stultify our own rights and privileges, and I believe that is a full answer to my hon. friend, and we should not unnecessarily question or by our own act curtail our privileges. Independent of that this emergency may arise at any time. We do not know what moment my hon. friend in the Chair may have to leave that Chair, and are we to run that risk any longer? Have we not run that risk long enough? I think the sooner we dispose of any such unfortunate contingencies as that the better, and I think that the most effective way we could do it would be the manner proposed, and I think that would be the end of it; we would hear no more about the validity of our action. Now, I must say that I approach this subject with a good deal of hesitancy, knowing that there has been such a conflict of opinion amongst the members of this Senate, not only at present, but for the last twenty years; and, not professing to be a constitutional lawyer, but a plain lawyer, having practised forty years in courts, trying to construct or interpret statutes according to my views, or the interests of my clients, I therefore approach the matter with considerable hesitancy, but without any fear of expressing my opinion as to what is the meaning and intention of this Act. I do not think this Act touches the prerogative of the Crown at all. I believe the prerogative of the Crown has been given to us to act in this matter. I believe the British North America Act has conferred on us all the rights and privileges required in order to make this change. I think that is inherent, coherent and innate in this Act, and it is inspired through almost every page of the Act, and I do not believe my hon. friend from Halifax was fair when he placed the hon. member from Amherst and the hon. member from Sarnia against the Minister of Agriculture and member from Richmond, because they were not by any means very antagonistic to each other in their views, but were all of the same opinion on this Bill. I must say when I heard my hon. friend the Minister of Agriculture base and place nearly all his grounds, if not all, for passing this Act on the 91st section, I felt a little disconcerted. I had never looked at it in that light. I had placed it mainly under the 18th section. The hon. member from Richmond put it under them both together.

Hon. Mr. POWER.—No.

Hon. Mr. KAULBACH—I thought he did. The hon. member from Amherst, supported by the hon. gentleman from Sarnia, based his opinions mainly upon the amended Statutes of 1875, of the British North America Act. He considered it was strengthened and supported by the 91st clause, and the two together, with the whole scope, intent and meaning of the Act, he believed gave us a perfect right to legislate in the way we propose. Now my hon. friend from Amherst went back a long way. I was in the House in 1873, and I remember well when my hon. friend from Amherst took a conspicuous and leading part, as he always did, in the discussion upon the Oaths Bill. I was a young member at the time, and my bashfulness, coupled with my hesitancy, prevented me from expressing an opinion; but I was with him then that we had no power under that section, because at the time of the passing of our British North America Act the House of Commons of England had not the power to administer oaths, and although the Parliament of Canada subsequently desired to get that power, the House of Commons subsequently having got the power, yet we could not take that power because it was not the privilege and power of the English House of Commons at the time of the British North America Act—that is the House of Commons had not then power. Although we passed that Act, the views of my hon. friend from Amherst were recognized, and the Act was disallowed by the Imperial Parliament, or by Royal Proclamation. Then we got the Act of 1875. Now that Act of 1875 re-affirms and re-enacts section 18 of the British North America Act, that all the privileges, immunities and powers created under the Act of 1867, for the House of Commons and the Senate, shall be such as are from time to time defined by the Act of the Parliament of Canada ; but no greater than those enjoyed by the English House of Commons. Now, in 1876, the Senate and Commons extened the powers as far the Oaths Bills—the powers of the Commons—and granted to all the Committees the powers of administering oaths, which was a power beyond the power enjoyed by the House of Commons of England at the time. The power was granted to the House of Commons in a certain Act, and as long as we did not exceed that general power, we had the right to pass that legislation, which we did pass in 1876. We gave extended powers to the Committees as to oaths beyond the powers of the English House of Commons at the time. This shows that we were not strictly tied down to the privileges of the House of Commons. Then, as regards this amended Act of 1875, I contend that we have the power under that Act for this reason : that the Commons have that power—the House of Commons of England have that power. They have the power to appoint a Deputy-Speaker. They appoint a Deputy-Speaker. They have appointed a Deputy-Speaker back prior to our British North America Act. We have it that the Commons exercised that power back as far as 1853 ; they appointed a temporary Speaker, and for several years continued doing so. It was the practice of the House of Commons up to 1855 to 1866. Then an Imperial Act was passed and the Parliament ratified the previous actions of the Commons of England. This provision was made with reference to the temporary absence of the Speaker :—

> "A Deputy-Speaker shall perform his duties and exercise his authority, pursuant to the Standing Orders or other order or resolution, every Act done and proceeding taken in or by the House, pursuant to any statute, shall be as valid as if the Speaker himself were in the chair."

That is just what we have done or intend doing by this Act ; that is the action of the House of Commons in England in 1855, and subsequently what was done under that was rendered valid by an Act passed afterwards; an Act was passed confirming what was done confirming the practice which had sprung up in the House of Commons. Now it may be said that that was done by Imperial power which is not granted to us. Of course it was, but it was established ; therefore it was the power the House of Commons had not only by practice but by being established by law in England prior to the passing of our British North America Act, and if the English House of Commons had that power and such privileges at the time of the passing of the British North America Act, then we had the right at any time to have the same legislation here ; but certainly, after 1875, when the 18th section was renewed and confirmed, it established our rights beyond all question. I refer hon. gentlemen to the eighth edition of May, pages 234, 235 and 236. I have endeavoured at least to show that that was the practice of the House of Commons in England, and that was confirmed by legislation in 1866, and has been the practice ever since, and if they had the power, no matter how obtained, we must have the power, because we have it not only in the original Act of 1867, but by the confirming Act of 1875. We have all those powers which the House of Commons had, and I contend we have the power to pass this measure, because it does not exceed the powers, privileges and immunities now enjoyed by the English House of Commons.

Hon. Mr. O'DONOHOE—Do you find any place where the House of Lords has the power? I know that the Commons has the power.

Hon. Mr. KAULBACH—The English House of Commons has the power ; and that is all we want. We have nothing to do in this case with the House of Lords, and this Senate can have by this Bill the same power as the English House of Commons—as held, exercised and enjoyed now by the English House of Commons, and by the members thereof——

Hon. Mr. O'DONOHOE—The Commons elect their Speaker, but the Speaker of the Senate is by appointment.

Hon. Mr. KAULBACH—That may be, but it matters not how it is done. If they hold, enjoy and exercise it, we can, but as regards the Deputy-Speaker we are not attempting to infringe upon the prerogative of the Crown as given to us under our British North America Act. If we have them under that Act we will not and do not attempt to interfere with the prerogatives of the Governor-General, but he may intervene at any moment, and our statute interprets that "may" as permissive in the Governor-General and not imperative.

Hon. Mr. GOWAN—What about interfering with the statutory power of appointment?

Hon. Mr. KAULBACH—I do not understand my hon. friend. If this Bill is the statutory interference, my hon. friend means, I do not see where the interference is; we are not interfering with the statutory power of appointment in the slightest degree. This power is given to us under the British North America Act; it is inherent, coherent and an innate power in the Act. We are not infringing at all, because the Governor-General has the same power after we pass this Act as he has now. Then we come to the 91st section. It is clearly there that the powers are probably stronger than I at first thought they were. The 91st section of the Act refers particularly to certain powers granted to the Parliament of Canada, and says: "make laws for the peace, order and good government of Canada in relation to all the following matters;" but then it does not say they shall have only that power to make laws for the peace, order and good government of Canada; it does not confine the power to those particular matters subsequently named there, but it says this:—

> But not so as to restrict the generality of the terms of the foregoing terms of this section.

So that it is the peace, order and good government of Canada applied to all these subjects enumerated. It is not to be confined to that alone because it says plainly it shall not be restricted in any way to affect the general terms of the section; therefore it is not confined to that section; but those regulations as regards the law, peace, order and good government are generally spread over and influence the whole statute as far as it goes and is applicable to govern the whole of it, and therefore, I think, with that section 91, together with the 18th section, or more correctly, the amending Act of 1875, I think that we have the power within this body to pass this Bill, because if you look generally through all the British North America Act, the 35th, 41st, 45th and 47th sections, you will see they all recognize the power of Canada to change the law. All these legislative enactments can be changed by Parliament. It is "until the Parliament of Canada shall otherwise provide." You find in almost every section of that Act "until Parliament otherwise provides" such and such things are enacted. It shows not only that the general powers given in the 91st section prevail throughout the Act, and read with the amended Imperial Act of 1875, I think gives the power that we here claim not as an alteration of British North America Act, or usurpation or breach of the Crown's prerogative and it is not trespassing on the prerogatives of the Crown; because my contention is—and I think it is the contention of my hon. friend from Richmond—that that Bill does not interfere with the prerogative of the Crown, because the prerogative of the Crown is given us under the Imperial Act. I think that is what my hon. friend from Richmond contended, and we do not intend to interfere with the rights of the Government or the rights of the Governor-General, because it does not claim to be co-ordinate with his right, but expressly subordinate, by the notice of amendment by the hon. member for Amherst in these words at the end of the second section: "until the Speaker himself resumes the Chair, or another Speaker be appointed by the Governor-General." He can at any moment exercise his prerogative and right, simply we keep up the continuity of our business here, if anything occurs to stop our proceedings and not by any means to interfere with the appointing or removing power of His Excellency, but in order that we can go on with the business of the country—to which we are commanded to attend; and I say that I believe that is a power inherent in our Constitution, inherent in the machinery that is given to us, that taking the whole statute together—that is the legislative intent—that th y are not to be blocked in this way. It is a power we have exercised for the last twenty years, although I admit not to the extent asked for in this Bill, and I feel confident it will not be considered *ultra vires.* I admit that there is a conflict of opinion among hon. gentlemen, those learned in the law here. The Government is the special custodian of the Constitution. No doubt its law advisers have fully considered this Bill, and if any of us have any doubt, let the responsibility rest with the Government.

As I before said, if we had not the power then, we had no right to appoint a man to take the Chair as we have done on several occasions for the last twenty years. We had no right to put a man there to give a motion to adjourn or to enter into debate. In all these acts we recognized our powers inherent in the Senate of Canada to do so. It is a power that I am confident we have a right to exercise as much as we have the right to exercise any power given to us specifically by the Constitution. We cannot go outside of the Constitution here, but there are some things inherent under the Constitution. Suppose the Crown has by grant given and conveyed a piece of land to any one, with all the privileges and appurtenances, has it not the right of way, if of necessity, through the Crown's surrounding property? It is a constitutional right, it is a legal right in order to use the property, although it is not so stated in the grant. In conferring a grant the inherent power goes with the grant of exercising all the rights necessary for the enjoyment of it. I consider that this Bill is not infringing on the Constitution or on the prerogative. We are not violating the British North America Act, we are merely providing for the continuity of the proceedings of this House and nothing can be done under this Bill that would prevent His Excellency the Governor-General from exercising his prerogative at any moment.

Hon. Mr. SCOTT—I have listened with a good deal of interest and attention to the able arguments of hon. gentlemen who have spoken against the propriety of our adopting the Bill now under the consideration of the House. The arguments advanced fail to convince me that it is not within the purview of Parliament to pass this legislation. I think the arguments were largely based upon the assumption that we are attempting to interfere with the rights and prerogatives of the Crown. From the stand-point from which I look at it I see no such attempt. The language of the second paragraph of the Bill I admit is too strong. The word "appointment" carries with it the idea of permanence. When we come to that particular paragraph, I intend to suggest the use of the word "choose," or "select," conveying the idea that it is to be only a temporary action of the House. The first clause of the Bill gives the Speaker the right to ask any Senator to take the Chair temporarily, it being assumed that he himself is in the building at the time. He may resume the Chair in five minutes, or not until the end of the sitting. If that is straining the Constitution, then I must say the Constitution is exceedingly delicate. If so small a matter affecting the organization of one of the bodies of Parliament, is to give a blow to the Constitution, it certainly does not present that elasticity which I think it ought to possess and which, I am prepared to show, it does possess. The next paragraph in the Bill was intended to meet one of those cases of emergency that will arise, I suppose, in all legislative bodies—that has arisen in the past in this House, and that will no doubt arise in the future. From my stand-point, it seems to me that our Constitution would be an exceedingly weak one if, on an emergency arising we were unable to meet it in the summary manner which I propose to explain. You can easily conceive in a wide country like this that the Governor-General may, at any particular time when the Speaker is ill or detained by a snow-storm, be a thousand miles away. Will any one tell me that it is in the interests of good government that this important body should be immediately paralyzed simply because there was not a Senator qualified to be put in the Chair? That is practically what those who declare their intention to vote against this Bill announce that they are prepared to say. They are prepared to announce to the outside world that our Constitution is so weak and so inadequate to our necessity that we are unable to pass the simple provision contained in the second clause of this Bill. It in no way disturbs or affects the royal prerogative. If we elect from ourselves any gentleman to take the Chair in the temporary absence of the Speaker, we give him no right to hold the Chair beyond the time the Crown may choose to recognize. Who is to be affected by this? Certainly not the public; certainly not the House of Commons; certainly not the Governor-General; certainly nobody in the five millions of people of Canada. It is said that the Crown will be affected. His Excellency, when he authorized the Government to introduce this Bill, saw no objection of that kind to it. We know that under our system of responsible government, the Queen, or His Excellency, has no voice in the selection of the Speaker—that he is appointed, and may be removed at any moment, by the Privy Council of Canada. It is practically the Privy Council of Canada that is interested. The Privy Council comes forward and says we approve of this measure and we think it should be on the Statute-book. Here we have heard a long argument as to what the law officers of the Crown may say on the subject, as if they would have anything to say when it does not conflict with or affect in the slightest degree any fundamental part of the Constitution. A good deal of argument has grown out of the disallowance of the Act of 1873. I will first draw attention to the Act 1868. Under that Act we did what, if the interpretation put upon the British North America Act by gentleman who are opposed to this Bill is correct, we have no power whatever to do. In that year we passed an Act to provide for the administration of oaths to witnesses. At that time the House of Commons of England had not that power. So looking at it in the light of section 18, that Act was *ultra vires.* Did the Imperial Act disturb it? Not at all. They do not think of disturbing any of our legislation unless it encroaches on the prerogative of the Crown. That has been their policy and desire—to abstain entirely from interfering with our legislation. They do not want to interfere; they know very well that under our system of Government, popularized as it is, it would be improper for them to interfere unless Imperial interests were at stake. That would be the only justification. That Act of 1868 was allowed to stand. When the discussion arose as to the Act of 1873, attention was called to this Act, and what did the Imperial authorities do? They did not say that we had no authority to pass it. They said that because we had doubts about it, they would take a certain course. They recited in the Bill that certain gentlemen in Canada had doubts, and then they declared that the Act "shall be valid and shall be deemed to have been valid as from the date upon which the royal assent was given." That was done eight years after to relieve the doubts of gentlemen who had questioned our power to pass the law. It was not in their own interest but for ours—because we wanted it done. But it has been said that the law officers of the Crown disallowed that Bill. Why did they disallow it? Because the father of Confederation asked them to do so. We all know that that Act was introduced in 1873, at a time of great excitement in this Confederation, when a commission was appointed to investigate the charges connected with Sir Hugh Allan. Notice was given of the Bill by Mr. Fournier, a member of the Opposition, not of the Government. Subsequently John Hillyard Cameron, who was of the opinion that we had the power to pass it under the British North America Act, took it up and passed it through the House of Commons. When it came to this House, Sir Alexander Campbell took charge of it. What was his view of the question? On the 28th April, 1873, he speaks of the Premier having doubts as to the power of the Canadian Parliament to pass the Bill, and then mentions the fact that another high authority, John Hillyard Cameron—and those that knew him know that he was a high legal and constitutional authority—had no doubt as to our power, and he says:—

> The Premier felt grave doubts, but another high authority (Hon. J. H. Cameron), entertained a different opinion, which was entitled to great respect. The case stood very much as the hon. gentleman (Mr. Dickey) put it. The Commons originally had no power to examine witnesses on oath at all, but were in the habit of sending them to the Lords to be sworn. Then an Act enabling the Commons to swear witnesses before the Private Bills Committee was passed, and in this way the matter stood when our Union Act of 1867 was passed. It was perfectly clear that the British House of Commons had not the power in 1867. This Canadian Act of ours proposes to give this power got in England by an Act of Parliament. While, therefore, there was a grave doubt in this matter, our Bill was not a serious affair after all. The heavens will not fall if we are wrong, if we have stretched our authority somewhat. As an independent legislature, if we err at all it should be in the direction of freedom. He would desire, speaking in a general way, where there was any doubt about our powers, not to circumscribe them.

He would rather go for extending than diminishing our powers. If we were wrong in this Bill, it was at all events with the sanction of very high authority. He did not venture any opinion himself upon the legal point. What, as a Colony, we had done in the past, we might, without very great danger, assume we had the power to do in the future.

Clause 18 of the British North America Act, as it originally stood, gave to this House and to the House of Commons the powers then held by the House of Commons at that date, so that our powers did not extend, expand and grow as the powers of the House of Commons of England did. I will call attention later to the fact that when the Act of 1875 was passed by the Imperial Parliament—and I suppose with the hope that it would prevent the necessity of the Canadian Government going back so frequently for legislation—they gave us the enlarged and growing powers of the British House of Commons. They gave us the largest legislative powers that any legislative body in the world possesses—powers that are changing year by year, growing according to the condition of things. This is a young country: do you mean to tell me that if we narrowed down our interpretation of the British North America Act to the simple wording of it, we would be able to carry on the country in ten or fifteen years? No, and so the British Parliament thought, and in 1875 they declared that the rights, immunities and powers of the Senate and House of Commons of Canada were co-equal with those of the British House of Commons at the time that we passed any Bill. Now, ten years hence, or eleven years hence, or twenty years hence, our powers will be keeping pace with theirs, and we know very well that the powers of the British House of Commons are keeping pace with the most advanced legislation in the world—far ahead of any other, I may say. The British House of Commons is to-day the most powerful body in the world. Now that Bill, which Sir Alex. Campbell described as "not a serious affair after all," was a more important one than this. It carried the pains of perjury to any one who committed perjury. This Bill is not on the same plane as that, not of anything like the same magnitude and importance.

Hon. Mr. POWER—The Bill of that day did not affect the validity of our legislation.

Hon. Mr. SCOTT—Sir Alexander Campbell continues:—

> Then, we had given ourselves the benefit of the doubt in the Copyright Act, upon which the Queen had not yet pronounced. * * * If we were wrong in this Bill, it was at all events with the sanction of very high authority. He did not venture any opinion himslf upon the legal point. What, as a colony, we had done in the past, we might, without very great danger, assume we had the power to do in the future.

Conveying the idea, at all events from his stand-point, that we had the power before Confederation, and if then, how very much enlarged are our powers now? Supposing we did pass this Bill and that attention was called to it, what would be the course of the Imperial Parliament? If they thought wise to interfere, they would do just as they did in 1875—confirm the Act. But I think, recognizing to the fullest extent the principles of responsible government, as the Speaker is appointed by the Administration of the day and not under the Queen's signet at all, they would decide that the interests of the Crown were in no way affected or disturbed. If the representative of the Queen in this country approves of this Bill, that ought to be a sufficient argument to all that has been advanced against it. That alone would be a sufficient argument, but I propose to go further than that. I should regret exceedingly if we evinced a disposition to circumscribe our powers. Sir Alexander Campbell was a good Conservative, but he felt the importance of preserving the rights we enjoy—at all events, of not diminishing them, and while not straining the Constitution, at least regarding it as somewhat elastic and not of that cast iron character that some hon. gentlemen have described it to be. I want to explain to hon. gentlemen why that Act of 1873 was disallowed. There was a good deal of feeling and excitement about the question—whether witnesses should be examined before a Committee of the Commons on oath. Sir John Macdonald, who was, in 1873, Minister of Justice, and within six years from the time when he was the principal actor in the important events referred to, made a report, as Minister of Justice, to Lord Dufferin. His Excellency did not agree with Sir John Macdonald and they consulted Mr. Todd. I will read what Sir John Macdonald says, and ask whether the law officers of the Crown had any alternative whatever except to take the course which he suggested. Sir

John sets forth first the premises whether the House of Commons had the power in 1867. There is a solid basis for his argument, ignoring altogether section 91. He then gave a higher value to the word "power" than the hon. gentleman from Richmond gave—both Sir John Macdonald, Mr. Todd and other authorities to whom I shall refer just now—gave a more enlarged interpretation to this word power under the 18th section. Sir John Macdonald was quite right in laying down the premises that this Parliament, viewed in the light of the 18th section of the British North America Act, had exceeded its jurisdiction. He laid down that undeniable premises in reference to this exercise of power, assuming that the Act was passed in conformity with the powers of the 18th section. He goes on to say:—

> The question has been raised whether it is competent for the Parliament of Canada to confer this power on a Committee of the Senate or House of Commons here, as it is a power which was not possessed or exercised by the British House of Commons at the time of the passing of the British North America Act, 1867.
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> The undersigned has come to the conclusion, although not without doubt, that this Bill is not within the competency or jurisdiction of the Canadian Parliament, and that the attention of Her Majesty's Government should he called to its provisions, and to the doubt that exists with respect to its validity.

Now I ask you whether the law officers of the Crown in England, in view of that opinion of Sir John Macdonald, had any alternative? They could not afford to cast any reflection or doubt on the soundness of Sir John Macdonald's opinion, because they recognized that he was largely interested in the drafting of that Act and ought to know what its true interpretation should be. Lord Dufferin, who had a good deal of skill as a diplomatist and a member of the House of Peers, and also had a good knowledge of constitutional law, did not agree with Sir John Macdonald. He believed that the Parliament of Canada, notwithstanding the restrictions of clause 18, had power under the 91st section to pass the Bill. In a long report to the Imperial authorities, dated May 3rd, he says:—

> A Bill has been introduced into the Dominion House of Commons in the present session, intituled "An Act to provide for the examination of witnesses on oath by Committees of the Senate and House of Commons in certain cases;" a question has been raised as to whether the Dominion Parliament were competent to pass this Bill in view of the restrictions imposed by the 18th clause of the British North America Act aforesaid.

That notwithstanding the view taken by Sir John Macdonald, notwithstanding the House of Commons had not the power under the 18th section, yet under the large power given generally in the Confederation Act, Parliament was warranted in passing that bill. What did Mr. Todd say? We must recollect that the late Mr. Todd was an authority second to none on either side of the Atlantic—that for nearly forty years he had been a close student of the Constitutional law. Those who knew Mr. Todd in the old Parliament of Canada, and afterwards under Confederation, will know how close a student he was, and how ready he was to give assistance; how painstaking and accurate he was. No one ever thought of doubting any principle laid down by Todd. His books speak for themselves. They are authorities not alone in this country, but on the other side of the Atlantic as well. Todd quotes the clause and says:—

> In my opinion that clause was intended to restrain the claims of eithe rHouse to indefinite privileges and immunities, by providing that such privileges shall never exceed those enjoyed by the Imperial House of Commons at a given date. The privileges and immunities herein referred to are those that might reasonably or unreasonably be claimed as inherent in, or necessarily attaching to the Houses of the Canadian Parliament pursuant to the maxim that "all things necessary pass as incident." By limiting such privileges and powers to those possessed by the Imperial House of Commons in 1867, it prevents, on the one hand, an undue encroachment or extension of privilege, and on the other hand secures to the two Houses and the members thereof, respectively, the privileges, immunities and powers appropriate to them as component parts of the Canadian Parliament.
>
> It is to be observed, however, that the power so conferred upon Committees by the English House of Commons was not claimed as a "privilege" inherent in that body. It was merely a power conferred by Statute, to facilitate legislative inquiries, similar to that which has been repeatedly conferred upon Statutory Commissions; and in being so conferred it did not trench upon any prerogative of the Crown, or enlarge the constitutional rights of the House of Commons.
>
> The Dominion Parliament were therefore clearly competent, in my judgment, to confer a similar power upon Committees of the Senate and House of Commons, pursuant to the authority conveyed to the Parliament by the 91st clause of the British North America Act, "to make laws for the peace, order, and good government of Canada."
>
> In a word, the restrictions contained in the 18th clause of the aforesaid Act, are restrictions upon claims that might be urged upon behalf of the two Houses of the Canadian Parliament, or the members thereof, respectively, to inherent or excessive privileges, and are not intended to prevent the exercise of legislative powers by the

whole Parliament, provided that the same are exercised within appropriate constitutional limits.

(Signed) ALPHEUS TODD.

Library of Parliament,
1st of May, 1873.

Hon. Mr. BOULTON—Was not that disallowed by the Imperial Parliament?

Hon. Mr. SCOTT—Disallowed in the way I have stated. Sir John Macdonald prepared the paper which I read a few moments ago. He set forth that it was in excess of the powers held by the House of Commons in 1867, and was therefore *ultra vires* of the Parliament of Canada. I say the law officers in England would not desire to question Sir John Macdonald's opinion.

Hon. Mr. POIRIER—Don't you think that they would exercise an independent opinion?

Hon. Mr. SCOTT—Had not Sir John Macdonald's opinion been presented in that way, I do not think they would have disallowed it. I have more faith in the opinion of Mr. Todd and John Hillyard Cameron and of Lord Dufferin than in the opinion of the law officers of the Crown given under such circumstances. I do not desire to show any disrespect to the Privy Council, but naturally those gentlemen could not be expected to take the same deep interest in matters of that kind that those on this side of the Atlantic would. Besides, I never can get out of my mind the feeling that there were reasons behind it all. I do not want to talk about them now, but it was a time of very great excitement and it is not desirable to mix up the events of that day with this matter. I certainly think that the opinions I have read will more than counterbalance the opinions of the law officers of the Crown in England. But at all events, that was a matter of very great consequence and where there was a correct premises, as Sir John Macdonald laid it down, taking as a standard the powers of the British House of Commons in 1867, it is no wonder that the law officers of the Crown declared that the legislation was *ultra vires*. There is no doubt at all that it was, if they took Sir John Macdonald's paper and went no further. They would say there was no doubt at all that the Parliament of Canada had exceeded its powers. They were not interested in enlarging and extending our powers, or studying the question from the stand-point of Mr. Todd, or of John Hilyard Cameron, or even of Lord Dufferin. It was a fortunate thing for us that that Act was disallowed, because what has been the result? The Act that has already been adverted to by the hon. member from Richmond was passed, which gave us powers largely in excess of those conferred upon us by the British North America Act. In order that no question should arise in the future, the British House of Commons said we will give them all the powers that the British House of Commons now possess or can possess in the future. Was not that saying all that it could say? I took the trouble to look up the debates in the House of Commons and in the House of Lords to see what interest they took in it but there was not a syllable uttered in either House. The Bill went through without a single comment. That is the compliment that they paid us. I expected to find a remark by some member of either House that they were giving the Parliament of Canada very wide powers, but not a single syllable was uttered. I looked to see what view was taken of it by the members of the British Parliament, but was surprised to find that the Bill went through without any one paying attention to it. Of course they have other things there which are more engrossing on their attention. As I said before, the Crown accepts this legislation, and the Crown is the only part of our Constitution which is in the smallest degree affected; no other element of the Constitution is concerned in any way. With all due respect for the powers of our Speaker, I am free to admit that I do not know of any officer, any official, any functionary who, in any legislative body, has less to do. They took good care to give our Speaker as little as possible. Then again, it is not at all essential that the Speaker occupy the Chair all the time. What does the Lord Chancellor do when he wants to speak? He goes down in the Chamber.

Hon. Mr. POIRIER—He is not replaced.

Hon. Mr. SCOTT—No; not replaced; the Chair is empty, and he addresses the Lords as we address each other, and does not address the Speaker. We do not address the Chair; we address each other. It is contrary to the rules, and it would be an impropriety to recognize that we had a

Chair. That is practically our position, and the status of this House; and the Speaker has a perfect right to come down on the floor of the House and join in the debate. I have seen Speaker Christie come down and take part in the debate on the floor of the Senate. Is it so important that there should be somebody in the Chair all the time? Could not somebody else put the motions? Our Speaker, as I said before, has fewer functions, fewer powers than the head of any legislative body that I know of. It does seem to me, under those circumstances, that we ought not to hesitate about claiming the rights we profess to have under this Bill. I was very sorry indeed that I could not get the extract which was read from Bourinot. I have the highest respect for his opinion, and I would like to have seen it. I sent down to the printing office to get it, but have been unable to see it. My recollection of it when it was read, was that it was predicated on a condition of things not such as I have described—that it was there assumed what hon. gentlemen in this debate have assumed, that we are appointing a Deputy-Speaker. Now, we never contemplated anything of the kind. There is nothing in the Bill to show that; no justification for saying so, and this word "appoint" is altogether too strong. The Bill only indicates that we are doing what is simply a temporary act, not disturbing the power of the Crown or the Speaker in any way; and therefore I should like to have had that extract to read it over before making any more comments. However, I have sent for it two or three times, and it cannot be got from the Printing Office; and therefore I propose to make an observation or two; I propose to quote Bourinot in that respect, because I lay down this principle, that our constitution is not alone the British North America Act; that it is the rights and privileges and the powers that have come down from time immemorial of the British House of Commons. That is our power, and let any man look back at the history of the House of Commons and he will see that every quarter of a century the powers of the House of Commons have been expanding, and they are going to expand more and more. Take as an evidence of it a most important thing in the memory of many people of recent years—the Long Parliament. It is not necessary to refer to the period of the Stuarts and Charles, when the House of Commons asserted themselves, but take the Reform Bill when practically the House of Commons took the constituencies that the Lords represented, that the Lords could nominate. We know that the Lords protested and objected and they threw it out; the Commons sent it back and they threw it out again; and the Commons went to the King and said: "We will fill up the House of Lords with men who will pass this Bill." He said: "No, you cannot do it"; and they said: "We will." He said, "We will give you twenty-one;" and they said, "No, we will take the absolute power to pass the Reform Bill." What did the king do? He had to yield. That is the last occasion on which we have any record of the king objecting to the proposals of the Ministers of the day; and the Lords, finding they were going to be swamped, walked out of the House. We will have that history repeated, I think, with reference to the Home Rule Bill; it will go up to the House of Lords and they will reject it once: whether they will reject it twice I cannot say; but Gladstone has the power to pass the Bill and send it up. The power of the House of Commons is a large, growing and expanding power. As the conditions of the country change, the powers of Parliament grow, and I do not want it to go abroad that the British North America Act alone is the charter of our rights and liberties. I say they are higher and broader than that, and I point to the Act of 1875, amending that, in confirmation of what I say. Now in reference to the expanding powers which I say we possess, year by year as the country grows and its conditions alter in ways and manners we cannot now dream of, our rights and privileges will grow *pari passu* with those of the House of Commons of England. Now would you say it was Mr. Bourinot's view that our Parliament was restricted by the words of the British North America Act? I will read some paragraphs from his work on parliamentary procedure and practice, page 781, second edition. It is under the chapter "General Observations on the practical operation of Parliamentary Government in Canada." It reads in this way:—

> In any review of the legislative Acts of the Dominion, the Government of England has for many years past fully recognized those principles of self-government which form the basis of the political freedom of Canada. No Act of the Parliament of the Dominion can now be disallowed

except it is in direct conflict with Imperial treaties, to which the pledge of England has been solemnly given, or with a Statute of the Imperial legislature which applies directly to its dependency. The Imperial Parliament may legislate in matters immediately affecting Canada, but it is understood that it only does so as a rule in response to addressed of her people through their own Parliament in order to give validity to the Acts of the latter in cases where the British North America Act of 1867 is silent, or has to be supplemented by additional Imperial legislation.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. SCOTT—At page 783 he describes the large powers the provinces have; —have all those specified in sections 91 and 92:—

> Each Government acts within the limits of its defined legislative authority with respect to those matters which are of purely local concern, and it is only when the interests of the Empire are in direct antagonism with the privileges extended to the Colonial dependency, the sovereign authority should prevail. This sovereign authority can never be exercised arbitrarily, but should be the result of discussion and deliberation, so that the interests of the parent state and the dependency may be brought as far as possible into harmony with one another. The written and unwritten law provides methods for agreement or compromise between the authorities of the present State and its dependencies.

It is quite clear that Mr. Bourinot does not consider that we have that ironclad Constitution that some hon. gentlemen have described.

> In matters of law the Privy Council is guided by various rules which wisely restrict appeals from the dependency within certain defined limits. In matters of legislation and administration, on which there may be a variance of opinion between the Canadian and the English Government, the means of communication is the Governor-General and the Secretary of State for the Colonies.

That would seem to indicate there was not a very anxious desire to interfere with our legislation and especially so harmless a measure as is this. I would like to read an opinion given by the highest authority in the land, as we recognize him; that is, the members of the Privy Council in England, who certainly ought to be as tenacious of the rights of the Crown as the Crown itself; because they do immediately represent the Crown in the Privy Council. In the celebrated case of Hodge *vs.* the Queen, under which the powers conferred under our charter came up for consideration, they said:—

> With respect to the subjects over which the Parliament and Legislatures of Canada have legislative control by the British North America Act of 1867. They must be considered to have the plenary powers of the Imperial Government (to quote the words of the judicial committee) subject only to such control as the Imperial Government may exercise, from time to time, and subject only to Her Majesty's right of disallowance, which the British North America Act reserves to Her, and which no one doubts will be exercised with full regard to constitutional principles and in the best interests of the country when exercised at all.

Now, how often has it been exercised of recent years? In the cases I have given where the Imperial authority has intervened it has been at our instance; but when the Act of 1875 was passed, giving us the enlarged powers, I have not been able to find that those larger powers were given at our instance and request. I am not aware that it was at the instance of Canada; on the contrary, so far as I have been able to discover, it was their own action. They seemed to be stimulated by a desire to shut out the subject for ever more and say, "here take all the powers which the House of Commons has, the growing powers, at any time to pass any particular bill." That is practically what they said, and I am not aware of our asking for it. Then on page 785 Bourinot again refers to the unwritten law:—

> If we study the Constitution of Canada, we find that its principles rest both on the written and the unwritten law.

And then he goes on to discuss the British North America Act; he describes it as being somewhat of a more flexible instrument than some of the hon. gentlemen who have spoken on this question would maintain. I am sorry if Mr. Bourinot has been quoted at all that he could not have been quoted under his own hand. I do not know how far he has prepared any paper, or how far he has committed himself to any view on the subject, and therefore I say it with all the greater respect for his opinion, I fear that the premises as laid down for the extracting of an opinion from him may not have been just in harmony with the provisions of this Bill. If my memory serves me correctly, he adverted to our appointing a Deputy-Speaker, which we do not propose to do, and clearly would not have the power to do; but this Bill is altogether a different affair.

Hon. Mr. POIRIER—It reads that way.

Hon. Mr. SCOTT—Not at all.

Hon. Mr. POIRIER—Is not the man who takes the Speaker's place in his absence a Deputy-Speaker?

Hon. Mr. SCOTT—No, he is not a Deputy-Speaker in any sense; just to complete the organization of the Chamber there is a Senator in the Chair.

Hon. Mr. POIRIER—He is another Speaker.

Hon. Mr. SCOTT—He is a Speaker *pro tem;* you may call him a Speaker.

Hon. Mr. ALLAN—Would my hon. friend read the last line of the Bill:—"And such Senators shall thereupon have and execute all the powers, privileges and duties of Speaker." You may call it any name you like, but it is to all intents and purposes a Deputy-Speaker.

Hon. Mr. SCOTT—Those words might be struck out; what power has the Speaker but to put questions from the Chair? As showing that it is not proposed to disturb or interfere with the prerogative of the Crown, we may ask an hon. gentleman to take the Chair in a pressing emergency, and the next minute he may say: "I hold a Commission from the Sovereign to sit as Speaker in this body." We do not dispute that. He is only placed there in a contingency to carry on the functions of the body, so that we will not be at a stand still. My hon. friend spoke of the dire consequences which might ensue if some Act of Parliament was passed with some one in the Chair other than the Speaker. Who can call it to account in the courts of this country? They cannot take cognizance of it. Who enacts the Bill? Her Majesty by and with the advice and consent of the Senate and the House of Commons of Canada. Do you suppose they could go beyond one of our Acts of Parliament?

Hon. Mr. POWER—Certainly.

Hon. Mr. SCOTT—I think I could, as a lawyer, answer certainly not. I do not think they would do anything of the kind.

Hon. Mr. POWER—It would be *ultra vires.*

Hon. Mr. SCOTT—It could not be *ultra vires* unless the Imperial authorities chose to take a strained view of it and intervene, which I do not think is at all likely. As I have read from Bourinot, the Imperial authorities do not wish or do not desire,—it has not been their policy since Confederation—to in any way disturb anything we do here, provided it does not encroach on Imperial rights there; and this Bill is no encroachment on Imperial rights. The Governor-General, who represents the Queen, has a voice in the matter nominally, and he consents, I presume. I suppose the Government can tell us that before the Bill goes through. If that is done I do not think the House should have another objection to it. If the hon. gentleman can say the Governor-General has seen the Bill and approves of it, that is an end of it. There is nobody else who can take objection. I listened with a great deal of respect to the very able arguments addressed to this House by the hon. gentleman from Barrie, but I think he is mistaken in his conclusions. He gave us a very able and thoughtful opinion on this subject, but in it I find that he states that we have no prescriptive or inherent right—that all we possess is within the four corners of the Constitutional Act. Well, I think I heard my hon. friend go a little further than that on a former occasion in 1888, when the question came up in consequence of Senator Plumb's death. He said: "If no one ob-"jects you have objected, and I was going to "point out what the precedent had been in "the past; I have no doubt the inherent "power exists with the House to adjourn. My learned friend says now he does not think there is any inherent power.

Hon. Mr. GOWAN—That was simply to adjourn.

Hon. Mr. SCOTT—I think if we can put one motion we can put another.

Hon Mr. POIRIER—No.

Hon. Mr. SCOTT—My hon. friend says no; it is a matter of opinion; it would be unparliamentary to talk about hair splitting, but words will rise without one desiring to utter them. Then I find the hon. senator from Barrie also quotes the hon. senator from Amherst as having given expression to the opinion that we might appoint a Deputy-Speaker. On reading the language of the hon. gentleman from Amherst at that time, his language was exceedingly guarded and does not convey any such opinion; on the contrary, he gave a written paper, and in it he proposed that the motion to adjourn should be coupled with the statement of certain facts, in order to show that the House was doing as little as possible. Here were his words:—

> The hon. gentleman, Mr. Hamilton, took the Chair accordingly by consent of the members present, declared the House adjourned until a future period. By consent of the members present and out of respect to the memory of the late Speaker, the Hon. Mr. Plumb, I declare the House adjourned until Monday, the 19th inst., at three o'clock in the afternoon.

He did not in the remarks he made there, certainly, convey the idea, that the House had the power to appoint a Deputy-Speaker or Speaker *pro tem.* His views are wider and larger. I have the debate before me, and thought his language was exceedingly circumscribed and showed a disposition not to go beyond what was absolutely necessary. It seemed to be the current feeling of the House that we should not discuss the question further than to adjourn. We did, however, have a debate; it appears it occupied some columns of our Debates. Several hon. members spoke; we had a debate with a Speaker in the Chair, indicating that our organism was preserved and kept up, and that the Constitution of the country did not receive a violent shock.

Hon. Mr. BOULTON—There was no executive action.

Hon. Mr. SCOTT—Nothing could be more executive in its character than adjourning the House. It certainly was a good deal more than putting a motion and being entirely governed by the House, yea or nay, as to whether the motion was carried or rejected.

Hon. Mr. BELLEROSE—I feel that I cannot give a silent vote on this question. Having for some ten or fifteen years past advocated the necessity of having a senator to replace, now and then, the Speaker in the Chair, it might happen that I would be considered to have been insincere when I feel bound on the present occasion to refuse my complete support to the Bill now under consideration. I am bound, it seems to me, to give some reasons for such a refusal.

Had the Bill contained only the first clause I would be induced to give it my support considering that it might not then be *ultra vires*, and even then if so it could have no bad consequences, as under the first clause the Speaker would have the Chair for a short time during a sitting and be at hand to resume the Chair in case of any difficulty arising such as deciding a point of order, restoring order in case of words of heat having been uttered, or all other difficulties which the Speaker alone has a right to settle. With reference to the second and third clauses, it has always been my honest conviction that this Parliament had no right to pass such legislation, that it was *ultra vires.* I will not take the time of the House in repeating arguments which have already been advanced; it is sufficient for me to state that I agree with most of the arguments which have so well been put before this House by the hon. Senator from Halifax (Mr. Power). Indeed, I rose after that hon. gentleman's speech for no other purpose than to state my concurrence in the views expressed by that hon. Senator and if I gave way and allowed the hon. Senator from Ottawa (Mr. Scott) to follow the hon. gentleman from Halifax, it was to wait and see whether the hon. leader of the Opposition would not convince me that the hon. Senator from Halifax was wrong and so alter my views. But far from having been convinced by the hon. gentleman from Ottawa that this Bill was altogether constitutional, he on the contrary has convinced me that we have no right to pass such a law. The hon. Senator from Ottawa has stated that this Parliament derives its power in this instance from the 91st clause of the British North America Act, which enacts that in every case where the subject is not one of those alloted to the provinces, the Federal Government shall have full power to legislate for the peace, order and good government of Canada. That hon. Senator has added that under this clause, there can be no doubt of our power to pass such legislation. I am not a lawyer, but as a layman, I regret to say that I dissent from his views. No doubt, much legislation can be brought under this 91st clause, but in the present instance, I emphatically deny that this clause grants such power. The Senate may not lose sight of the 34th clause which restricts the 91st so far as this question is concerned. The 34th clause reads thus:—

> 34. The Governor-General may from time to time, by instrument under the Great Seal of Can-

ada, appoint a Senator to be Speaker of the Senate, and may remove him and appoint another in his stead.

Hon. gentlemen will see that by this enactment the power to appoint a Speaker to this House is reserved to the Crown. If so, is it not evident that this special enactment restricts the general power given by the 91st clause. Now, let me refer Your Honours to the 2nd clause of the Bill under consideration which reads thus :—

2. Whenever the Senate is informed by the Clerk at the table of the unavoidable absence of the Speaker, the Senate may appoint any Senator to act for the Speaker during such absence, and such Senator shall thereupon have and execute all the powers, privileges and duties of Speaker.

Now, in passing such legislation, is not this House appointing a Speaker ? So much so that the Speaker appointed by the Crown might not resume the Chair for months and during all such time the Senate would have for its Speaker a gentleman chosen by the Senate in violation of the Constitutional law which enacts that the Speaker of the Senate shall be appointed by the Crown. Then the hon. Senator from Ottawa went on referring to the Bill passed by this Parliament some years ago, concerning the swearing of witnesses before Committees. Now, that Bill was disallowed on the ground that it was *ultra vires*—and no doubt it was. But suppose it had not been and that it had not been so disallowed, it could not help the hon. gentleman in his pretentions, the two cases being altogether different. In the matter of swearing witnesses this Parliament had acted under the provisions of the 91st section of the British North America Act, which it seemed then was in no way restricted by any other clauses of this same Act, and which truly was not directly restricted by any other provisions of the Constitution. Nevertheless, it was disallowed in England on the ground that the Bill was *ultra vires*, the 18th clause of the British North America Act giving to the two Canadian Houses of Parliament only such powers as the Commons in England had at the time of the passing of the British North America Act, in 1867. At the time the House of Commons in England had no power of swearing witnesses. In the present instance the case is a good deal stronger, the 34th clause restricting completely the general power given by the 91st clause. Let me now refer the House to the 3rd clause of the Bill under consideration. It reads thus :

3. Every Act done by any Senator, acting as aforesaid, shall have the same effect and validity as if the same had been done by the Speaker himself.

Now, I should like to know how it is possible for this Parliament to give what it has not. The powers and privileges given to the Speaker of this House are part of the Constitution. The Crown, in conformity with the Constitution and under its provisions, having appointed the Speaker, this House has no power or privileges which it can legally and constitutionally give to another of its members. If any one could delegate such powers, I should say the Speaker appointed by the Crown is the only one who could do so, and not this House. I give notice that when this Bill is referred to a Committee of the whole House I shall move that the 2nd and 3rd clauses be struck out.

Hon. Mr. POIRIER—On this matter I take similar views to those expressed by the hon. gentleman from Delanaudière. I believe not only that the 1st clause of the Bill is *intra vires*, but that it is a good clause and that it should be enacted. I might add further, that I believe we have by inherent power the rights and privileges mentioned in that clause. There is a distinction between the powers given us by our Constitutional Act and the inherent powers that we possess in common with all other deliberative assemblies. We have some inherent powers, but those powers cannot conflict with the powers specially provided by the Constitutional Act which created us. For example, we have the power to adjourn ; there is not the remotest doubt about that. If a panic occurred here, we would have the power to adjourn with or without a Speaker. Suppose a panic occurred here could we not adjourn whether the Speaker was in the Chair or not ? That is an inherent power. There is nothing in the Constitution that authorizes us to appoint chairmen of Committees, still we do so. Why ? Because while the House is in Committee, no legal act is performed, and we have the inherent privilege of appointing a chairman of a Committee. I would go further and admit that the Speaker might have the right to call to the Chair somebody to take his place while the debate was going on provided, however, that no vote be taken, but my ground is that while holding to those inherent powers and privileges we cannot conflict with our constitution, and that in the matter of the appointment of a Speaker we have no privileges whatever. In my humble opinion clauses 2 and 3 of this Bill are *ultra vires*, as they conflict with the Constitution which created us and under which we have our existence.

The second clause provides that whenever the Senate is informed by the Clerk at the Table that the Speaker of the Senate is unavoidably absent, the House may appoint some one to take his place. That creation of the House is either a Speaker or is not. If he is not, he avails nothing, as the Senate can do no political act without a Speaker. If he is, we are stepping in and taking powers on ourselves equal to those reserved for the Crown ; we are appointing a creature whom the House of Lords in England has not the power to appoint ; the Lords do not even appoint their Deputy-Speakers. The hon. gentleman from Ottawa has talked very lightly in my estimation of our constitutional charter. I believe, for my part, that we should guard against unduly interfering with it. It is the Act, the source of our very existence, and it should be religiously respected.

At six o'clock the Speaker left the Chair.

After Recess.

Hon. Mr. POIRIER rose to resume his speech.

Hon. Mr. VIDAL suggested that before proceeding with his speech the Orders of the Day should be disposed of.

WITNESSES AND EVIDENCE BILL.

SECOND READING.

Hon. Mr. ANGERS moved the Second Reading of Bill (23) "An Act respecting witnesses and evidence."

He said :—This is a Bill respecting witnesses examined and evidence adduced before the Courts created by the Parliament of Canada. It applies to all criminal proceedings and to other matters respecting which the Parliament of Canada has jurisdiction. As to witnesses in criminal cases it is a new measure, which is in the line of the progress which is made in other countries in relation to evidence. Formerly interest and crime debarred witnesses from being heard. It is proposed that none of those causes should affect the right of a witness to give evidence. It is proposed that every person charged with an offence, and the wife and husband, as the case may be, of the person accused, shall be a competent and compellable witness. We all know that under the present law a wife cannot be heard as a witness against her husband, and a husband cannot be heard as a witness against his wife. They are not competent or compellable witnesses. It is proposed that they shall be made competent and compellable, competent in so far that a husband or a wife can state what he or she may have seen of the offence committed, but not to give evidence upon confessions or admissions made during the marriage. If they are to be competent witnesses I think they must also be compellable witnesses. It is absurd, in my humble opinion, to provide that a witness shall be competent but not compellable. If he is a competent witness he must come before the court, not as a man bound to give only one side of the case, but as one who is bound to tell all he knows about it, and he should not have the privilege of declining to answer on the ground that his reply might criminate him. He is protected under the provisions of this Bill in so far that no other case, either civil or criminal, could be brought against him on his own evidence or the evidence he had given in a previous case. I say that it is in the interest of the accused that he should be a compellable witness. His evidence will not be half as strong if he comes before the jury protected from telling everything he knows about the case. It has occurred on many occasions that the life of a prisoner depended on his own statement. He often is the only witness who can give the true version of what has occurred. During my experience I have had a man tried before me where the whole of the evidence rested on two admissions made by him. It was a case of murder which occurred where there was no other person but the prisoner and the dead man. The deceased received a blow and never spoke afterwards. Nobody knew of the case but the prisoner himself. Immediately after the event the prisoner continued on his voyage and he made then a statement while under his first excitement, which statement contained no extenuating circumstances. Half an hour later he made another statement in which he mentioned extenuating circumstances, showing that the assault had been committed against him and that he had killed his assailant in legitimate self-defence. The jury were charged that if they believed one statement it was a murder, that if they believed the other statement it was either manslaughter or justifiable homicide. The jury adopted the latter statement as the true one. That man was in peril of his life for two days, the whole of the time that the trial lasted. Had he been a competent and compellable witness, I have no doubt that the jury would have accepted his statement—which was the true and real one I believe—that the man was killed in legitimate self-defence. In this case, and in many others that have occured, it is important in the interests of justice—because that is the object in view in examining witnesses—that the prisoner should be in a position to give evidence, that he should be a competent witness, and if he is made a competent witness it is in his own interest and in the interest of justice that he should be a compellable witness. The 5th clause of the Bill provides that no person shall be excused from answering questions upon the ground that the answers to such questions may tend to criminate him or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any other person, provided, however, that no evidence so given shall be used or received against this person in any criminal proceedings thereafter instituted against him, other than prosecution for perjury if, in giving such evidence, be makes a false statement. That is the protection that is given him, that upon his evidence alone he could not be tried for the offence and that there must be some other evidence to convict him. The other clauses relate to the evidence of public documents, of proclamations, of deeds passed before notaries and of various documents which purport to issue under official seal or under some official authority.

Hon. Mr. GOWAN—That is already on the statutes.

Hon. Mr. ANGERS—Yes, but this is a codification. It also provides, which is now in the law, that a child so young as to be unable to justify before a court the obligation of an oath, may also be a witness and give evidence, but subject to the limitation that the statement of such a child shall not be of itself evidence, but must be corroborated by other circumstances or other evidence. Those are the main points of the Bill.

Hon. Mr. POWER—I have been taken completely by surprise. The House rose at six o'clock, while the hon. gentleman from Shediac was engaged in making his speech, and I presumed, as has been the universal practice of this House since I have had the honour of holding a seat here, that the hon. gentleman would have gone on with his speech as soon as the Speaker resumed the Chair. When I return, I find the House engaged in discussing the details of a different measure altogether from that which was before us at recess. It is a measure as to which there is a great difference of opinion. I could have understood if the House had taken up only measures which would not lead to discussion. During all the years that I have been in the Senate I have never known a case of the kind to occur before.

Hon. Mr. ANGERS—I understood that this was done by the unanimous consent of the members of the Senate present at the time, reserving the discussion to be carried on at length on the other subject after getting through the Orders of the Day.

Hon. Mr. KAULBACH—I was about to make the same remark as the hon. gentleman from Halifax. This is a very important measure. It is a radical change in the Criminal Law, not only of this country but of England, and it is of such importance that I think it ought not to be taken up at this time of the evening when nobody expected a debate. If the hon. gentleman proposes to go on with the Bill to-night, I shall find it necessary to speak at some length on the question, but if it is postponed until another time I shall be quite satisfied.

Hon. Mr. ALLAN—It is the fault of the House that this measure has been taken up now. There was no objection raised to the course adopted.

Hon. Mr. BOWELL—When the suggestion was made, I thought it was a most unusual mode of procedure, but as there was a consensus of opinion and no one objected I did not raise an objection. It is one of those important measures that will, I have no doubt, create a great deal of discussion. In this House, under our rules, we affirm the principle of a Bill at the second reading.

It is not so in the House of Commons. Hence, you have a greater latitude in the House of Commons, because you may allow a bill involving a very important principle to pass the second reading, reserving the right under the rules to object to the principle at a subsequent stage. I can understand the objection taken by the hon. member from Lunenburg and the hon. member from Halifax, because if the Senate pass the second reading of this Bill they affirm its principle unless each individual reserves the rights to himself to discuss the principle in Committee.

Hon. Mr. ANGERS—I think that the House will have a full opportunity of discussing the Bill perhaps at greater advantage when the House goes into committee of the whole, and that we might allow the 2nd reading of the Bill to take place on that understanding—that no member will be bound by this second reading and that when the House goes into Committee of the Whole a full discussion of the principle of the Bill will be admitted. We will get one step further on by taking this course. I do not intend to press this Bill to-morrow but will give every reasonable delay before going into Committee of the Whole on the Bill. I think that the House might follow this course after the explanation I have given of the Bill—I stated that it was new in principle—I drew the attention of the House to the principal features of the Bill, and under the circumstances, I think we might have the second reading take place now without causing any difficulty.

Hon. Mr. KAULBACH—I shall certainly conform to the feeling of the House if it is understood that we do not commit ourselves to the principle of the Bill by letting the second reading pass now. The Bill proposes a radical change and it should be very carefully considered.

Hon. Mr. POWER—I do not propose to object to the second reading of the Bill now. The hon. Minister will see that in dealing with an important measure of this kind it is desirable that the discussion should take place at the second reading, because at that stage members who may agree with a great portion of the Bill can point out the portions of it which need amendment, and those suggestions can be considered by the Minister before he goes into Committee with the Bill.

Hon. Mr. ANGERS—When we go into Committee of the Whole I will give ample time for the discussion of the Bill, and if it is necessary we might have more than one sitting in Committee of the Whole.

Hon. Mr. McINNES (B.C.)—If no other hon. gentleman will move in committee to amend the Bill I shall move that two words in the fourth clause be struck out, "and compellable."

Hon. Mr. ANGERS—That has been the subject of a long discussion in the other House.

The motion was agreed to and the Bill was read the second time.

WRECKS AND SALVAGE BILL.

THIRD READING.

Hon. Mr. BOWELL moved that the House resolve itself into a Committee of the Whole on Bill (3) "An Act to amend the Wrecks and Salvage Act."

(In the Committee.)

Hon. Mr. BOWELL said:—This is simply to facilitate the investigation into wrecks or other matters connected with vessels, by substituting the word "Minister" for "Governor in Council." It will enable the Minister to instruct the man to make the investigation at once and make the report to him on which he can act and for which he is responsible, before he can lay it before Council for approval.

Hon. Mr. VIDAL, from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

PARLIAMENTARY FEES BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (61) "An Act respecting the disposal of moneys paid in connection with proceedings before Parliament."

(In the Committee.)

Hon. Mr. McKAY—I should like to know what the process will be in case this House should resolve to return a portion of the fees on a Bill. At present it is refunded through our own Clerk.

Hon. Mr. BOWELL—It will be on the order of the House for a refund. The cheque will be issued, which will be honored by the Auditor-General and paid out of the Contingent Account which is placed to the credit of your accountant. I asked the Auditor-General the question which has been put to me, and also the Finance Minister. I am informed that this Bill is simply to carry out in principle by law that which has been the practice of the Senate for some years. Then I asked this question—supposing the Senate authorizes the refund of a deposit which has been made, what will be done? The Auditor-General stated that a cheque will be issued on the order of the House. There will be no difficulty under the new Act. The committee recommend the refunding and upon that the cheque will be given by the Auditor-General.

Hon. Mr. KAULBACH—On the recommendation of the committee, but that must be adopted by the House.

Hon. Mr. BOWELL—Yes.

Hon. Mr. PERLEY from the committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

TRIAL OF JUVENILE OFFENDERS BILL.

THIRD READING POSTPONED.

The order of the day being called—Committee of the whole House on Bill (M) "An Act respecting the Trial of Juvenile Offenders."

Hon Mr. ALLAN said:—The Minister of Agriculture has been kind enough to show me a memo. from the Minister of Justice on this Bill. With many of his views I entirely agree, but as I think it is a matter which should be very well considered indeed before it passed this House, particularly as it will be an amendment to the present Criminal Code, my own feeling is rather to withdraw the Bill; but in the meantime, as I am desirous of putting myself in communication with the Prison Reform Association and others at whose instance I introduced the Bill, I move that the Order of the Day be discharged and fixed for Thursday next in order that I may have an opportunity to consult these gentlemen, though my own feeling is to withdraw the Bill.

The motion was agreed to.

DORAN DIVORCE BILL.

THIRD READING.

Hon. Mr. GOWAN moved the adoption of the report of the Select Committee on Divorce *re* Bill (E) "An Act for the relief of James Frederick Doran." He said:—As this will probably be the last case of divorce coming before the Senate this session, I think it but right that I should bear testimony to the efficient manner in which every officer of the Senate, with whom my duties as Chairman of the Special Committee on Divorce brought me in contact, performed his duty. From the Law Clerk, especially, down, I can and do state that every duty was promptly and faithfully executed to my entire satisfaction, and I must not omit to include our shorthand writers, who did their work in a most creditable manner, with a celerity and accuracy deserving the highest commendation. This case in which I now move the adoption of the report is, I may say, growing out of the malign influence of a mother-in-law who had large expectations for her daughter to live in a style she had lived in, but finding her disappointment she assisted in separating a couple who might have lived happily together. The old man Doran, the grandfather of the petitioner, was too wise to accept the suggestion this woman made to him: to use a common expression, he was not going to take off his clothes before he went to bed. The result was that the matter came to an open issue and she would not allow her daughter to return to her husband. How the respondent lived afterwards I cannot say and do not desire to know. Ultimately Mrs. Doran went to France and though we do not know it as a fact, we were informed by one of the witnesses that she went through a form of marriage in Paris. All the facts alleged were proved, the fact of his living with her for a few weeks and the fact of her declining at the instance of her mother to return. The whole preamble of the Bill was fully sustained. It is a case that the committee unhesitatingly recommended for the adoption of the report.

Hon. Mr. KAULBACH—To put the case in a nutshell, the happy union in this case was rent asunder through the baneful influence of a mother-in-law who induced her daughter to break her marriage vows.

Hon. Mr. PROWSE—I understood that the object of having this celebrated divorce committee appointed and having only one copy of the evidence printed, was to keep the details out of our records. I cannot understand why the chairman of the Committee should give a summary of the evidence when we have the full evidence in our hands, unless it be to give the filthy details to the public. The sooner we do away with the committee, or with the reports, or the divorce proceedings, the better it will be for our own credit.

The motion was agreed to.

Hon. Mr. CLEMOW moved the third reading of the Bill.

The Bill was then read the third time and passed.

BILLS INTRODUCED.

Bill (26) "An Act relating to the Harbour of Thornbury on Georgian Bay." (Mr. McKindsey.)

Bill (77) "An Act to further amend the Act to enable the City of Winnipeg to utilize the Assiniboine River water power." (Mr. Lougheed.)

Bill (84) "An Act reepecting the Grand Trunk Railway Company." (Mr. MacInnes, Burlington.)

Bill (63) "An Act respecting the Canadian Power Company." (Mr. Power.)

Bill (U) "An Act further to amend the Railway Act." (Mr. Bowell.)

THE SPEAKER OF THE SENATE BILL.

DEBATE CONTINUED.

Hon. Mr. POIRIER resumed his speech. He said:—When the House rose at six o'clock, I was remarking that the House of Lords had not the power to appoint either its own Speaker or Deputy-Speaker. Exception was taken to these remarks; I had not time to complete my idea, but I will give it in a few words. There has been an ancient conflict between the House of Lords and the Crown as to the right of appointing Speakers and Deputy-Speakers, the Lords never having relinquished their privileges on the one hand, and the Crown on the other hand having imposed hers; so that the situation is this: the Crown appoints Speakers to the House of Lords, and also means to appoint Deputy-Speakers. These are even appointed by batches. Notwithstanding that, the Lords have maintained their privileges, and when the list of the Crown appointees is exhausted, then the nominee of the Lords goes in and takes the Chair, but subject always to be merged or immerged in the nominee of the Crown when he is present; so that if the chairman of committees should, in consequence of the absence of the Speaker and Deputy-Speakers, take the Chair, the moment the Lord Chancellor or one of the Deputy Speakers comes into the House of Lords, the power of the nominee of the House of Lords of the chairman of committee, ceases *ipso facto*, and the Lord Chancellor or the Deputy-Speaker takes his place. That is the situation there, hon. gentlemen; but it does not affect our case, because we are not governed by the precedents that obtain in the House of Lords. The authorities have disposed of us otherwise. Now, I will take the argument of the hon. the leader of the Opposition, whom I am sorry not to see here to-night, and I wish the House to understand that if I am bold enough to endeavour to answer him, it is not because of any lack of respect or deference for him. This is a deliberative body. Let that be my justification. The hon. gentleman made very light of the necessity of a Speaker at all; he went to the extent of intimating to the House that if we had no Speaker at all we could go on just the same; and that anybody could put the question from the Chair. Hon. gentlemen, that assertion, falling from the mouth of such a prominent lawyer as the leader of the Opposition surprises me. Why? The Speaker is as necessary a factor to the running of our machinery here as a judge is necessary to a court of law; so much so that we are not a Senate properly sitting as a Legislative body unless we have a Speaker; and it is surprising to hear the contrary stated, when the information comes from the leader of the Opposition. He said further, that the Law Officers of England had no concern about it, that the Crown took hardly any interest in the matter; that if they did interfere on some occasions it was at our pressing request. All the records of both the

Canadian House and the British House contradict that statement. Let me read to you the preamble of our Act of 1885, and you will at once see if it is important or not that we should act when properly constituted, and if it is really of small importance any how whether we have a chairman or not. Here is the preamble of the Act of 1885 appointing a Deputy-Speaker in the House of Commons:—

> Whereas the House of Commons has resolved, &c.—

That is the resolution of the House of Commons; I will not read the first part—

> And whereas the assent of the Crown has been obtained to the adoption of the same resolution.—

That precaution was taken to have the assent of the Crown beforehand, which is necessary with us as well as with them in England.

> And whereas it is expedient to give effect to the same ——

And listen to this, hon. gentlemen.

> And whereas the validity of acts or proceeding of the House done or taken during the absence of the Speaker might thereafter be questioned unless declared valid by law, etc."

Therefore you see at once that it is the opinion of our Legislature that acts performed while there is a doubt as to the regularity of the appointment of the presiding officer, might be invalid. This shows clearly, hon. gentlemen, that this House at least regards it as of primary necessity that our organization should be complete. The hon. gentleman has moreover insinuated that perhaps in England they do not entertain the same view. Let me read to you the preamble of the Imperial Act of 1874, which practically goes over this ground.

> Whereas doubts have arisen with regard to the power of defining by an Act of Parliament of Canada, in pursuance of the said section, the said privileges, powers and immunities, and it is expedient to remove such doubts, etc.——

Such doubts, hon. gentlemen, are doubts that have arisen or sprung from acts done by us after the passing of our Act of 1878, showing therefore that in England they consider that unless we proceed with our powers properly organized the legislation performed is doubtful and its validity is questionable. But the hon. gentleman has insinuated they only entertain those opinions when Canada is concerned. Let me take you back to England itself and see if they disregard those questions and show if they are not even jealous to see that no act of Parliament be performed except when the House is in its full and most complete organization. Here is an Act passed by the Imperial Parliament in 1855. The House of Commons by a resolution of its own, had appointed a Deputy-Speaker for the House of Commons, which office was not in existence before. Some enactments had been made and particularly some new members had been sworn in while the Deputy-Speaker was in the Chair. The resolution creating the office of Deputy-Speaker had only been passed by the House of Commons and therefore doubts arose as to whether acts done while the Deputy-Speaker was in the Chair were valid, and therefore this Act was passed to validate them. Listen to the preamble:—

> An Act to prevent doubts as to the validity of certain proceedings in the House of Commons; whereas the House of Commons on the 4th day of August, 1853, Her Majesty having previously signified her consent to the House that the House might do therein as seemed fit, resolved, as follows:—

All those precautions had been taken.

> That whenever the House shall have been informed of the unavoidable absence of the Speaker, the Chairman of the Committee of Ways and Means should take the Chair, and in the event of the Speaker's absence continuing for more than one day, do, and if the House shall see fit, take the Chair in like manner during any such absence, and whereas on the 4th day of the present month of June, Mr. Speaker being absent, the right hon. gentleman, the Chairman of the Committee of Ways and Means, took the Chair in pursuance of the said resolution, and whereas the House on the same day further resolved as follows, viz., the Chair on each subsequent day during the week, namely, that in the event of Mr. Speaker's absence, Mr. Fitzroy should take the Chair on a subsequent day during the present week, and whereas again the said right hon. gentleman, in consequence of the continued absence of Mr. Speaker, should perform therein certain duties pertaining to the office of Mr. Speaker.

And all those precautions had been taken in the House of Commons:

> And whereas doubts may arise as to the validity of acts done or proceedings taken by or in the House during the time as aforesaid, in relation to certain matters regulated by the Statute, be it enacted, &c., &c.

This shows, hon. gentlemen, that the subject of which the hon. leader of the Opposition was making light is not so light a matter. It affects the validity of legislation itself: and if acts performed under such authority as this were deemed insufficient in the Imperial House of Commons, do you hon. gentlemen, think that as to acts performed by the proposed Deputy-Speaker or more properly by the new Speaker, will not be disputed before tribunals and will not be subjected to doubts of the greatest magnitude? The hon. gentleman, moreover, endeavoured to put the hon. gentleman from Barrie, the foremost advocate of this side of the question, in the position of contradicting himself, which surprised me very much; and as the hon. gentleman from Barrie has spoken once, and cannot be heard again, I may perhaps answer these remarks for him. The hon. gentleman from Ottawa said that the hon. gentleman from Barrie had stated during this debate that we had no inherent powers; and citing a previous debate at the death of Mr. Plumb he said that the hon. gentleman from Barrie had affirmed that we have inherent powers—thus trying to show a contradiction. That attempt at finding my venerable friend contradicting himself, if made by a layman, might have been understood and might have been justified, but coming from a professional man can hardly be excused. At that time the question was as to whether we could appoint a Chairman to pass resolutions of condolence or of adjournment—a privilege inherent to every body, and that no power on earth can take away, no more than they can take our own existence. Every deliberative body, and every meeting has the right to adjourn or to elect a president for matters outside of their legal attributes. It is then a body, not legal, not politic, it is a body doing certain things of its own jurisdiction; those are the inherent rights to which my hon. friend referred, and when to-day he said we had no inherent rights, he distinctly said, and every lawyer in this House understood, that we had no inherent rights coming in conflict with the Constitution; that all the legal rights we had were derived from the charter; that before the charter existed we did not exist; we had no right; our rights commenced from its existence, and that we have no inherent rights except the rights given by the charter, either directly or by implication. I believe I am right in stating the opinion of the hon. gentleman from Barrie. Well, now, to conclude all and make it more remarkable, after the hon. gentleman from Ottawa had sustained the Act in the way he did, having gone exceedingly far, having endeavored to show that the opinion of the law officers in England was as it were of no consequence; after saying that in the controversy of 1873, when Sir John A. Macdonald sided one way, and Lord Dufferin and Mr. Bourinot the other, there was no alternative left to the Law Officers of England but to decide with Sir John Macdonald which is hardly consistent with what we know of the interference of our Ministers here with the Law Officers of England; he reached a very strange conclusion. Before sitting down he actually condemned all the act now before us; in words that could not be mistaken he averred that the Bill was *ultra vires*. You all remember him saying that of course we could not appoint a Speaker; that the wording of the act would have to be changed. He proposes to strike out the word "appoint" in the bill, which makes it *ultra vires*, and substitute the word "elect" or "choose," and that the bill will then be all right. Now, hon. gentlemen, I ask the question; what is there in a name? This is a matter of synonym. Call it what you like, the moment the person chosen or appointed by the House has got the privileges, rights and powers enumerated in this Act, he is to all intents and purposes a pro-Speaker. In the Republic of the United States, when the Vice-President is absent, and they appoint a supplementary one, they call him by his own name, a President *pro tem*, a gentleman that has all the powers of another gentleman. There is a wide difference between a deputy—a man appointed by a superior—and a gentleman who is appointed to act as vice of the other one, with all his powers. What does clause 2 say?

> Whenever the Senate is informed by the Clerk at the Table of the unavoidable absence of the Speaker the Senate may appoint——

Let us read the word "choose," to please the leader of the Opposition—

> —may choose any Senator to act for the Speaker during such absence, and such Senator shall thereupon have and execute all the powers, privileges and duties of the Speaker.

Then clause 3:—

> Every act done by any Senator as aforesaid shall have the same effect and validity as if the same had been done by the Speaker himself.

The Crown has reserved to itself the right to appoint a Speaker, and that is a part of our Constitution; if we extend or restrict that right we are modifying the Constitution by giving another man an equal power with the Speaker. We arrogate to ourselves the authority to appoint a Speaker. Whence do we draw the authority, hon. gentlemen? Where have we the power to procreate such a being? We cannot have it outside of the Constitution, and we have it not within the Constitution. Our existence, our powers, our right to procreate or to act politically must be drawn from our charter, and the Crown alone could beget and procreate such a being as Speaker. We have not within ourselves by any inherent right the privilege to give existence to such a being. But the hon. gentleman for Ottawa has said, or given the House the impression, that it would not matter much if we were to interfere with those details. These are not details at all, hon. gentlemen; this is the very essence of our machinery, and the hon. gentleman's views were not the views entertained by the fathers of Confederation; his views were not the views entertained by the leading statesmen of England when our British North America Act was discussed. If I am not tiring you too much, I crave your attention to these words of Lord Carnarvon:—

> As to the unaltered character of the Bill——

That is the British North America Act.

> —such an undertaking was part of the compact between the seven provinces, he should be glad for the House to understand that the Bill partook somewhat of the nature of a treaty of union, every single clause of which had been debated over and over again and had been subjected to the closest scrutiny, and in fact each of them represented a compromise between the different interests involved. Nothing could be more fatal to the Bill than that any of those clauses which were the result of a compromise should be subject to two such alterations. It would be his duty to resist the alteration of anything which was in the nature of a compromise and which, if carried out, would be fatal to the measure.

You know our representatives were then in England, and that very clause concerning our power to appoint a Deputy-Speaker came up before the Parliament in England. It was decided there, after mature consideration, that the Governor-General might have a deputy, that the Lieutenant-Governors might have deputies, that the House of Commons should, to the extent of what is in the Act, have a deputy also, but no provision was made in our case. This clause existed in the Quebec Resolution that was submitted in England:—

> The Speaker of the Legislative Council——

Which became our Senate—I am reading the whole clause 15—

> The Speaker of the *Senate*, unless otherwise provided by Parliament, shall be pointed by the Crown from among the members of the Legislative Council and shall hold office during pleasure and shall only be entitled to a casting vote on an equality of votes.

Therefore, in the Quebec Resolutions there was no mention of a Deputy-Speaker, and we have no mention of it in the Act, and therefore, there is no place left for any doubt. If the case was not provided for it is because the framers of our Constitution did not think it should be.

Hon. Mr. DEVER—What Parliament did they refer to there?

Hon. Mr. BOULTON—Those are the Quebec Resolutions.

Hon. Mr. DEVER—But I wish to know what Parliament they had in view.

Hon. Mr. POIRIER—I am reading from the Constitution of Canada by Doutre and the Quebec Resolutions are here inserted. I am reading from section 15.

Hon. Mr. DEVER—The British Parliament?

Hon. Mr. ALLAN—No, this Parliament.

Hon. Mr. POIRIER—This is simply to try to show that the hon. leader of the Opposition was, if I may be permitted to use the expression, wrong in making light of our Constitution, and thinking that we could disregard it entirely. As you have seen, the Act provides for a Speaker and does not provide for a Deputy-Speaker in our case, and perhaps the Latin maxim might apply here—"inclusio unius est exclusio alterius." Now the source of our power, according to the mover, the Hon. Minister of Agriculture, whose high legal opinions I greatly respect, and who will excuse me I hope for discussing this Bill—the source of our power in this case is clause 91. I am sorry the hon. Minister did not more fully show us how this stream could flow from that source. If there is a clause in our Constitution that has been debated before the courts, not only in this land but in England, it is certainly that clause. It has been sifted over and over again. On that is based the distribution of the powers as between the central authority and the provinces. It is a clause which refers to substantial legislation; but never before to my knowledge did I hear of any interpretation given to it as dealing with what I may call procedure. That clause recites the various powers given to the provinces and reserves the balance to the central Government, but deals not with the mode of putting the machinery in motion. It relates to the order and good government of Canada. From it have arisen all those questions concerning the selling of liquor wholesale and retail, the navigability of railways and other points disputed between Ottawa and the provinces. This clause states that outside of the powers given to the provinces, whenever questions of peace, order and good government arise, those questions shall fall under the power and jurisdiction of the central Government, in contradistinction with what is done by the United States, where the primitive and original powers came from the provinces or from the different States and was retained by them, except what was specifically given to the Congress. If that clause carries such an interpretation, it is certainly a novel or an extended interpretation. It has not been given to it before. But assuming that it does, it is certainly limited by clause 18 of our Constitution. That was admitted by my hon. friend from Richmond, who is not here to-night, and by several others, that if clause 91 gives us the power which is asked for, it is limited by section 18 of our Act, which is now contained in the Act of 1875. That Act submits us or puts us on a par with the House of Commons whenever their rules are inconsistent with our Constitution, and gives us as a prototype not the House of Lords but the House of Commons of England. Therefore we are governed by the rules that govern the House of Commons in England, which also governs our House of Commons here; but we cannot go beyond that; in adopting those rules we cannot come in conflict with our Constitution in matters that are directly provided for. Acting within the limits of our Constitution, we can take or give ourselves the privileges enjoyed now by the House of Commons in England; but what are those privileges? In England the House of Commons has existed from its beginning to the year 1855 without having a Deputy-Speaker. In order that we should take upon ourselves to stretch and strain the Constitution, we must at least be justified by the emergency, by the absolute necessity of the situation. Are we now in such an emergency as would justify us in stepping in and appointing a Speaker? If the British North America Act had not provided for a Speaker then I admit we might have the privilege: but we have been given a Speaker and the Act declared that the Speaker shall be the appointee of the Crown. Is your case so pressing and the necessity so urgent as to justify us in appointing another one? If it is urgent for us, then it would have been urgent for the Imperial House of Commons of England, who had no Deputy-Speaker up to 1853. Here is the history of the Deputy-Speakers or of the Speaker of the English House of Commons. I will make it short. A committee was appointed in 1852 to inquire into the question as to whether the House of Commons had the right to appoint a Deputy-Speaker, and to recommend to the House what should be done in the absence of the Speaker. They state in their report that between the years 1647 and 1703—that is for the space of 56 years—the Speaker had been absent on but three occasions, and that in each case the House, being informed that the Speaker was detained at Court, adjourned till the next day. No Deputy-Speaker was appointed and there was not that stringent, that pressing necessity for them that appears to exist for us. Between 1603 and 1640, nine cases of absence of the Speaker are reported and in each case except one the House adjourned. In 1640 a new Speaker was appointed, which did not get the assent of the King, who was then in jail. There was a case of necessity. The assent of the King was necessary to the validation of the power of the Speaker. There was a supreme necessity. They did without it, getting the assent of the Lords. But the creation of a Deputy-Speaker is not such a case of necessity. Between 1650 and 1668 only two cases of absence are reported; between 1668 and 1760, six absences altogether are recorded. On the 13th March the Speaker, Sir John Cremear informed the House he had a violent attack of colic and could not be present. Because of his absence he was excluded and given a successor, the House being informed that he had accepted a gift of 1,000 guineas to favour the passing of a certain Bill. The word boodle was not in existence then. As a matter of fact he was pledged to pass a certain

Bill and remained absent on that account. The House of Commons did not think they had the power to appoint a Deputy-Speaker and did not in fact appoint one. They appointed a new Speaker. Mr. Anslow, who was Speaker 34 years, was detained only four times for sickness between 1760 and 1803. Later on the House of Commons by a resolution decided that in the absence of the Speaker the Chairman of the Committee of Ways and Means would be called to the chair and act as Speaker. The first instance took place in 1855 during the absence of the Speaker. Now, it is the Acts performed while this Deputy-Speaker was in the Chair, that were questioned afterwards and forced not only the House of Commons, but the whole Parliament of England to pass an Act legalizing what had been done during that time, showing that it is no trifle to disregard the regular procedure of Parliament. In what position should we be, if we were to pass Bills and enact laws with an irregular Speaker in the Chair? We are not given by our charter the power to deal with our Speaker, and there is no absolute necessity for us dealing with that question as we are provided with a Speaker appointed by the Crown. So far I have endeavoured to show that we have no authority at all in the premises. Now, I contend that if a Deputy-Speaker can be appointed—which I cannot admit—he must be appointed otherwise than by the House. You will admit that in the case of our House of Commons, it is not contradictory that the House should elect a Deputy-Speaker, it being empowered to elect its Speaker; but as a matter of fact our House of Commons does not elect its Deputy-Speaker. To all intents and purposes they have no Deputy-Speaker there; Mr. Bergeron cannot open the proceedings of the House; he is called, and as a matter of fact, any member may be called by the Speaker, to take the Chair. Any person so called by the Speaker to occupy the Chair, continues sitting even when Mr. Bergeron is in the House. They practically have no Deputy-Speaker with privileges equal to those enjoyed by the Deputy-Speaker of the House of Lords. It is enacted the Speaker may call upon the Chairman of committee or any other member. If we appoint a Deputy-Speaker we are going far in advance of them; and I will call the attention of the promoters of the Bill to this question, that they have practically no Deputy-Speaker in the House on the other side who may act independently of the Speaker. But there they have the privilege to appoint their Speaker, which we have not, and I submit very humbly that if we are to have a Deputy-Speaker at all he must come from the same authority that appoints the first Speaker, the Crown, who having appointed one Speaker, must appoint the other, and not we who have nothing at all to do with the matter. To justify my contention I would refer to clause 131 of the British North America Act which I think supports my contention:

> Until the Parliament of Canada otherwise provides, the Governor-General in Council from time to time may appoint such officers as the Governor in Council deems necessary or proper for the effectual execution of this Act.

Assuming that the Speaker of the Senate, who steps into life with all the adornments of other officers, who is made and created by the Crown, revocable at will—assuming, I say, that he is an officer, then perhaps the Crown might step in and appoint a Deputy-Speaker to us. I have no very clear views about it, but I humbly submit that if in the premises anything at all can be done it can only be done by the one authority. If a second child is to be born, he needs must have the same father, or else he will not be legitimate and belong to the same family. If born in any other way he will not be the heir-at-law. In the Deputy-Speaker we wish to create and procreate a full-fledged heir to the kingdom with all the privileges and powers of the Speaker. It is known by every lawyer that our powers cannot go beyond those of the House of Commons in England, the Act of 1875 limits our powers so that we cannot go above and beyond what is being done and enjoyed in the way of privileges in the Imperial House of Commons at the time our legislation passes. When for the first time in 1855 the English House of Commons, by Act of Parliament—not by resolution of the House, but an Act of Parliament, based on a resolution of the House—passed a law enabling the House of Commons to have a Deputy-Speaker, they did it with a reservation—and I call the hon. Minister's attention to it—to be found in the Imperial Statutes of 1855, Chap. 84,—An Act providing for the performance of certain duties of the Speaker during his temporary absence from the House of Commons. There is a preamble to the Act and the Act gives power to appoint a Deputy-Speaker, but here is the restriction in clause 3 :—

> Provided also that nothing herein contained shall affect the election of a Speaker or the forms thereof or any prerogative of Her Majesty contained therein or otherwise relating to the office of Speaker.

If we are bound to progress here as they progress there, if we are bound not to go ahead of them, there is this restriction, and if the Crown has any prerogative or authority in dealing with our Speaker, we are put on our guard here not to infringe upon any of the rights and prerogatives of the Crown. I call the hon. gentleman's attention to this third clause of the Act of the Imperial Parliament of 1855. I therefore conclude that this Bill is not within our power. At one time it seemed to me, and does still seem to me, that the hon. gentleman from Amherst ventilated the whole situation by stating that if this Act be rejected it will give occasion to proceed in the matter through the Imperial Parliament. I do not agree to that. I do not agree that this honourable body should show itself in such a light as to take a wrong way to call the attention of our leaders and be told, "Go back, you are not on the right road." I say that some course should be adopted more compatible with our honour and dignity. If the Bill is to be questioned, as it must certainly be questioned, I would humbly ask the Government to take it upon themselves to proceed by an Address of both Houses to the throne, but not to have the Senate led into a *cul de sac* and then be told by the authorities in England to go no further, that we have gone the wrong way. I will therefore take the liberty very earnestly of asking the hon. mover of this Bill not to press it further now. There is no urgent necessity for it at present. I would advise him to appoint a committee, or at least let it stand until next session and not put the Senate in a false position. Many gentlemen will vote, of course, influenced by the prestige of the Government. I think it will be admitted that laymen, without any offence to them, are not supposed to be conversant with those fine questions of law as lawyers are supposed to be. Perhaps sometimes they are better qualified to judge, but the probabilities are the other way. I therefore ask the hon. gentleman to withdraw his Bill or let it remain over until another session. In the meantime, I cannot conceive why this House, falling back on its inherent privileges, could not do anything and everything in the way of helping the Speaker in the preliminary stages of legislation; reserving for the Speaker the putting of questions and all matters that must be done by himself. We cannot do any legal act without the Speaker, but we could do the preparatory work without him. This debate that we are pursuing in the presence of the Speaker, we might do without him, with any of us in the Chair; we could even carry on the discussion in the lobby of the House. It is all preparatory work. I do not see any reason why the Speaker should not call any Senator to replace him in the Chair. It would not go on the record—provided that when a vote is put or when a Bill has to pass a stage, the Speaker is in the Chair. Another argument, and the last one: supposing a Bill framed as proposed by the hon. leader should pass, here is a dilemma and a very serious one—supposing the Bill passed, and we elect or appoint or choose or fabricate a Deputy-Speaker, how would you come and sit as the Senate? How would you meet this clause of the Constitution which enacts that until the Parliament of Canada otherwise provided, the presence of at least fifteen Senators, including the Speaker, shall be necessary to constitute a quorum for the transaction of business? The Deputy-Speaker shall be considered the Speaker or he shall not be. If he is considered a Speaker, we are undoubtedly usurping the rights and privileges of the Crown; if he is not a Speaker, we cannot exercise our power without a quorum of fifteen, including the Speaker. I do not see any way to get out of the dilemma. I beg to thank the House for their kind attention and forbearance to what may appear effrontery, but which, on the contrary, is an expression of my honest conviction of what is right and permitted by the constitution.

Hon. Mr. BOULTON—I desire to say a few words with regard to this Bill, because in the question which has come before this House is involved a point that I took last year on the Redistribution Bill. I agree with the hon. gentleman from De Lanaudière, so far as this Bill is concerned, that the first clause is one which it is desirable that we should pass for the convenience of the Speaker. The last two clauses I do not think there is a necessity for, because the power is already in the Crown, in the case of unavoidable absence or prolonged absence or anything of that kind, by removing the Speaker and replacing him by another gentleman for a temporary period under the present Constitution. But the grounds upon which I oppose this Act are embodied in the agreement from which the hon. Minister of Agriculture draws his deductions in presenting this Bill to the House. He has told us that it is under section 91 of the British North America Act. I take exception to that view. I do not think that section 91 was placed in the British North America Act for any such purpose at all. I do not believe it was placed there to convey such powers as the leader of the Opposition says are inherent in the Constitution of the country—that is to say, that we have the same powers but no greater than the Parliament of Great Britain. If you will trace the history of our Constitution you will see that it has come down from the Imperial Parliament step by step ever since the year 1763, when Canada was first established as a Crown colony, and step by step, change by change has taken place until in the year 1867 the Imperial Act which gave us our Constitution as it stands to-day was passed. That Constitution is the outcome of the deliberations of the various provinces that created the Confederation or Dominion of Canada. The Constitution is the outcome of an agreement made between our provinces as to the powers they should work under in our present constitution. That Constitution is a written one—it is defined in the British North America Act, and what I contend is that the powers given under section 91 are merely the residuum powers not mentioned in the British North America Act as the powers that the Parliament of Canada shall possess and the powers that the provinces shall possess. In that way we differ from the Constitution of the United States. The Constitution of that country is the outcome of the various States uniting when they declared their independence and conferring a portion of their powers on the general Government but retaining the sovereign powers they possessed at the time they went into that union; the residuum of powers not contained in the Constitution remains in the individual States. We, on the other hand, have established our Confederation on a different basis. We have defined certain powers for the provinces that form the Confederation and we have defined the powers that the general Government shall have, and under section 91 of this Act we defined that the general Government shall possess the residuum powers that are not mentioned in the British North America Act. That is the contention I make in regard to the importance and value of section 91. It is not a clause that is put in there to enable us to do anything we choose—to enable us if we choose, according to the contention of the hon. leader opposite, to say that we shall have no Governor-General or elect our Governor-General, or alter our Constitution in any way we like. I contend that it is a most dangerous infringement on our Constitution when we take the ground that under that section 91, we have the power to override the special conditions which the Confederation Act imposes on the various provinces which joined together for the purpose of establishing Canada. The hon. member for Ottawa division said that we had perfect power under the British North America Act to do anything we chose—anything that the Parliament of Great Britain and Ireland had power to do. Hon. gentlemen will recollect that in the Hon. Mr. Mackenzie's time, when he found the Senate contained a majority against him, he desired to exercise the same constitutional power that the Imperial Parliament has—that is, to increase the number of Senators in the same way that the Imperial Parliament has to increase the Lords in the event of a deadlock occurring, and the question was referred to the Imperial authorities and the reply was given that there was no such power.

Hon. Mr. POWER—I think the hon. gentleman is slightly in error as to that particular matter. There is a power mentioned in the British North America Act. The Mackenzie Government applied to the Imperial authorities to allow them to exercise that power, which permission the Imperial authorities refused.

Hon. Mr. BOULTON—That is, to increase them by six?

Hon. Mr. POWER—Yes.

Hon. Mr. BOULTON—What I wanted to point out was merely that the number of Senators is fixed by the British North America Act, but there is a clause in the Constitution which says there shall be so many Senators, and we have no inherent power to increase the number. If we have the power that the hon. member from Ottawa says we have, we would have the right to increase those Senators not only by six but by twenty-five or fifty if we saw fit to do so, but it is clearly laid down by a clause in the British North America Act, that we shall have only so many Senators and we must abide by that. We have no power to alter that, because it was part of the agreement we entered into when we established the Confederation. So again with regard to the very question we are speaking of here. It is laid down in a clause of the British North America Act, that the Speaker of this House shall be appointed by the Crown and we have no power in ourselves to change that. The advantage that I consider we have in our Constitution over that of the United States is that the United States when they came together and established their Constitution imposed a cumbrous method upon themselves by which an amendment could be made to their Constitution. They have to appeal to the States, the States have to get a three-fourths majority of votes to sanction it, and I do not know what difficulties they have to go through before they can get an amendment to the Constitution. We are not in that position. We have drawn our inspiration from the British Constitution which has been handed down through centuries of experience and centuries of time, that keeps pace with the age. It is a Constitution that is based on government by precedent. That is the fountain head of the British Constitution. We are part of the Constitution. If we were to assume the powers that the hon. member from Ottawa says we are entitled to, it would not be the British Constitution, but a Constitution entirely independent of its British origin. I, for one, do not propose to vote ourselves, by any side issue like this, outside of the British Constitution, which is the bulwark of the liberties of the people who live under it, and it is for that reason that I feel strongly on the subject. The Bill commends itself to a majority of the House, as it commends itself to my judgment as being a convenience and advantage to this honourable House, so far as the first clause in the Bill is concerned, but when it is proposed to take that power under that clause 91 of the British North America Act, then I say I am distinctly opposed to it. In the same way if we were to admit the principle that we have that power under that section of the British North America Act, we might have the same power to infringe upon the liberty of the various provinces. If section 91 gives us power to legislate for the peace, order and good government of the country we might say it is for the peace, order and good government of the country that we should infringe on the rights of the provinces. If we can do it one way we can do it the other, and I contend that is a point, that we have to consider and for their integrity it is not wise for us to infringe upon our Constitution. We can accomplish what we desire in a legitimate and legal way. All we have to do is to express our desire by an Address of both Houses for an Imperial Act conferring upon us the power that we require and it is unnecessary for us to do this in a roundabout way and establish a precedent that will entitle us year by year more and more to enlarge the powers that it is now being contended are contained in that section 91. I think, for the safety of our constitution under which we are living, that we should not seek to infringe upon that constitution in any particular by means of those enlarged powers which are supposed by some to be contained in the section of the British North America Act referred to, but secure an amendment in a straightforward manner. I might mention that the question came up with regard to the appointment of justices of the peace in the province of Ontario. It was a case where the law was tested on the ground that the justice of the peace should be appointed by the Dominion Government. It came before Chief Justice Armour, in 1888, in the case of Regina *vs*. Bush. I quote from Vol. IV :—"Cases decided on the British North America Act, 1867, edited by John R. Cartwright." In this case is the following :—

> Section 91 of the Act provides that it shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the provinces.

There the contention is held out that under that section 91, we had the power to create justices of the peace, but it goes on to say :

> If the passing of laws providing for the appointment of justices of the peace is not within the classes of subjects assigned exclusively to the Legis-

latures of the provinces, it is certainly within this section, for one of the first steps in making laws for the peace, order and good government of Canada would be the making of laws for the appointment of justices of the peace.

Section 92 of that Act, however, provides that in each province the Legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated, that is to say :—14. The administration of justice in the province, including the constitution, maintenance and organization of Provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts.

Now, there is a case where some one tried to protect himself on the plea that under that clause 91 the Dominion Parliament had the power to appoint justices of the peace, but the contention was overruled. The courts of the country decided that section 91 did not confer those powers but gave them to the Provincial Legislature.

Hon. Mr. GOWAN—And that, notwithstanding the powers given under the 91st section in all matters of criminal law and procedure.

Hon. Mr. BOULTON—I will not detain the House at this late hour with any further remarks beyond saying that the Governor-General has the power to establish what we are mainly seeking to establish in this Bill —that so far as the convenience of this House is concerned the first section is a harmless one, and one that probably it would be advisable for us to pass. The other two I do not think it advisable that we should pass. We do not want to take the power out of the Crown. The highest officer of the Crown is the Speaker of the Senate, and he derives that prominence from the fact that he is appointed the Speaker by the Crown. The Speaker of the Commons is the First Commoner—he is elected by that House. But the Crown has reserved to itself the prerogative of the appointment of a Speaker of the Senate, and if we under this Bill take power to ourselves to elect a Speaker, and let our appointed Speaker who is appointed by the Crown absent himself for a month or two, as this Bill would permit him to do, we would be taking away from the dignity of the position and would be infringing upon the Constitution of Canada, and until I am satisfied that the power that here is sought is not an infringement upon the constitution I shall feel it my duty to vote against the second reading.

Hon. Mr. ANGERS—I will say a few words to close the debate in this matter. I wish to inform the House that this Bill has been brought before it after mature deliberation. It has been a subject of considerable study by the Minister of Justice, and of frequent discussions between him and myself as to the right of the House to adopt such a measure. I have very great respect for the opinion of Mr. Bourinot, cited here, but after giving that opinion a great deal of consideration, after the Minister of Justive has given also great attention to that opinion, the Government has come to the conclusion that the Bill now submitted for your consideration was within the power and jurisdiction of this House. Referring to the opinion and paper written by Mr. Bourinot upon the question of the Speaker of the Senate, it is to be remarked that he deals with the case only as coming under section 18. He never in any way at all refers to the power of this House under the 91st section of the British North America Act. He argues in his paper that section 18 was the one that did not give us that power, and he goes into a consideration of the powers that the House of Commons and the Senate of Canada possessed under section 18 before it was amended in 1875. Now, I think that we derive the power that I am asking the House to exercise under section 91. I do not wish to go over the arguments that have been adduced before this House. They have been ably placed before you, and I think it is not necessary for me to go over the ground again. One of the points urged against the Bill, which I do not think is a strong one, was that no Bill of this kind was brought up before to-day and that the Senate has been in existence for 26 years. Now, I do not look upon that as an argument. Many laws—and many good laws—are forthcoming yet, and I for one do not believe that all the laws that the Statute-book contains are the limits of the wisdom of this country. The wisdom of this country may still be further exercised than it has been heretofore according to circumstances and according to the special exigencies of the case. It was stated that Sir Alexander Campbell and Sir John Abbott have been leaders of the House and that they never thought of bringing such a Bill before us.

Hon. Mr. POWER—Allow me to interrupt and correct the hon. gentleman. It was said that they had thought of it, and after having thought the matter over they came to the conclusion they could not do it, which is a very different thing.

Hon. Mr. ANGERS—I shall refer to that point. I do not know what was Sir Alexander Campbell's opinion, but I happen to be informed of what Sir John Abbott's opinion was upon the point. No later than last year, had time allowed, the Bill I am submitting to the House would have been proposed by him. That was his opinion on the point, and he expressed it openly to several members of the House. It has been stated that this Bill was an infringement upon the prerogative of the Crown. I maintain that the Bill was drafted with such care and attention that there is not a single word in it that could be construed as an infringement of the prerogative of the Crown. The Bill purports to put this House in a position to go on with the business of the country until the Governor in Council can interfere and appoint another Speaker if it has its choice. A very proper amendment has been suggested by the hon. member from Amherst, which is altogether according to the opinion I expressed to the House when I presented the Bill. I stated that there was no intention to infringe and that the Bill did not infringe upon the prerogative of the Crown, and he suggested very properly that the following words be inserted—"until the Speaker himself shall resume the Chair or another Speaker be appointed by the Governor-General." Now I declare that I accept his amendment as making the Bill clearer and as answering the objection which is made that it might be construed as an interference with the prerogative of the Crown. Another very proper suggestion has been made by the hon. member from Ottawa which indicates a distinction between the word he proposes and the word that is now in the Bill. Whenever the Senate is informed by the Clerk at the Table of the unavoidable absence of the Speaker, the Senate may "appoint" any Senator; it is proposed to say "choose," and I think there is a distinction there. The word "choose" does not look so permanent as the word "appoint," and consequently I think the suggestion is a good one. Now, I have heard hon. members who argued upon this point say they are in favour of the first clause of this Bill. Well, I only want them to be logical to the whole Bill. If they are in favour of the first, they cannot help but be in favour of the second, and if they are opposed to the second, necessarily, if they are logical, they must be opposed to the 1st, because the second clause is only the natural consequence of the first. When you admit the necessity for the first clause, when you admit that there is a necessity for this House having the power to carry on the business of the country in case the Speaker, through illness or other cause, has to leave the Chair, if that illness is prolonged until the next day or until the evening, you must also acknowledge that it is logical for the Senate to draw attention to the fact that the Speaker is not in the Chair, and for the Senate to be put in a position to temporarily choose one of its members to occupy the Chair and fulfil the duties that the Speaker himself would have to fulfil had be been present. It was said in argument that there was no necessity for the Speaker to be in the Chair when we are discussing the acts of this House. I cannot agree with that. This House would not be the Senate, nor would we be a properly constituted House unless there was a Speaker in the Chair. It was stated a few minutes ago that this discussion upon the Bill might proceed without the Speaker being there at all, and that his presence was only required when we were called to vote upon a motion or when a motion was put before the House. That point I think is sufficient to show that there is no strength in such an argument. Now it has been said that this House, by adopting this Bill, might be put in a very humiliating position, because later on it might be found that we had not the right of adopting this Bill. I do not know if everybody in this House will view the matter as I do, but I believe it would be a more humiliating position for this House to be in if it went, by an Address, before the Crown and sought permission to appoint a Speaker or to choose a substitute to replace the Speaker in case of illness and we were told "But you have that power under section 91." It is worse for us to be told that we have not the intelligence of exercising the power which is given us by the Constitution, than to be told "there is a doubt as to the constitutionality of your action and we shall make it right." The worst they could say would be that we had exaggerated our attributes and exceeded our power; the most they can say is, there is a doubt whether we have the power under section 91. I maintain there would be no humiliation in that at all. Now, it was suggested by the hon. member from Barrie and very properly—and I must compliment him upon the great attention he has given this question—at the beginning of this debate that this Bill might be referred to a special committee. At the time I was struck by the force of the suggestion, but at this present moment, when the Bill has been discussed for four days and every member here who is an authority upon a matter of this kind has expressed his opinion, and come to a conclusion, what good could be derived from going before a special committee? The hon. member from Barrie could not make a more able effort or a better prepared speech than he has made in the House. The hon. member from Halifax could not support his side of the case with stronger arguments than he has used here, and the hon. member from Richmond, as well as the hon. member from Ottawa, has thrown such light upon this subject that this House is now ready, I believe, to come to a conclusion whether the Bill shall be read the second time or whether it shall be rejected. I therefore press the motion which I have made, asking that this Bill be read the second time now, and I am most thankful to the hon. member from Amherst, as well as the hon. member from Ottawa, for the suggestions they have made to perfect this Bill by the addition of the words "until the Governor-General has appointed another Speaker" and also for the substitution of the word "choose" for the word "appoint."

The Senate divided on the motion, which was agreed to on the following division:—

CONTENTS:

Hon. Messrs.:

Angers,
Bellerose,
Bernier,
Bolduc,
Bowell,
Casgrain,
Clemow,
DeBlois,
Dever,
Dobson,
Guévremont,
Kaulbach,
McClelan,
McKay,
McKindsey,
Macdonald (P.E.I.),
MacInnes (Burlington),
Masson,
Merner,
Miller,
Montplaisir,
O'Donohoe,
Primrose,
Prowse,
Read (Quinté),
Reid (Cariboo),
Robitaille,
Scott,
Smith,
Vidal.—30.

NON-CONTENTS:

Hon. Messrs.:

Allan,
Boulton,
Gowan,
McCallum,
McInnes (Victoria),
Poirier,
Power.—7.

The Bill was then read the second time.

The Senate adjourned at 10.30 p.m.

THE SENATE.

Ottawa, Tuesday, March 21st, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayer and routine proceedings.

GRAND TRUNK RAILWAY COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (50) "An Act respecting the Grand Trunk Railway Company of Canada," with amendments. He said:—The first amendment refers to the consolidated debenture stock and the application of the proceeds of that stock. It was intended that the application should be of such proceeds as were necessary, but it read in such a way that it referred to the whole of the stock and it was altered by inserting the words "so much as." In the same line, in connection with that, some words are struck out so that it will read that it refers to the schedule generally. I see no objection to these amendments.

Hon. Mr. VIDAL moved that the amendments be concurred in.

The motion was agreed to.

Hon. Mr. DICKEY—The next amendment refers to clause 13 of the Bill, which is struck out. This clause was intended to bring this united company within the purview of the Railway Act legislation with regard to crossings. It was explained to us that legislation is now before Parliament which is general in its character and renders this clause unnecessary, and it was therefore struck out by the committee at the suggestion of the Hon. Minister of Trade and Commerce.

Hon. Mr. VIDAL moved that the amendment be concurred in.

The motion was agreed to.

Hon. Mr. DICKEY—The next amendment occurs to the 16th clause—the clause applicable to the first general meeting of the company in 1894. That was intended to be a meeting for the appointment of directors, but these words were left out and they are inserted, "present at such meeting for the election of directors." I see no objection to the amendment.

Hon. Mr. VIDAL—In my opinion this is merely a correction of a printer's error and it should not be necessary to move concurrence in the amendment. However, I move that the amendment be concurred in.

The motion was agreed to, and the Bill was then read the third time and passed.

THIRD READINGS.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, reported the following Bills which were read the third time and passed:—

Bill (32) "An Act respecting the Canada Life Assurance Company." (Mr. MacInnes, Burlington.)

Bill (39) "An Act to incorporate the Ocean Accident Corporation." (Mr. Ferguson.)

Bill (62) "An Act to revive an Act to incorporate the Equity Insurance Company and to change the name of the company to the St. Lawrence Insurance Company." (Mr. MacInnes, Burlington.)

Bill (40) "An Act to incorporate the Canada and North-west Land Company, Limited." (Mr. McKindsey.)

Bill (34) "An Act to incorporate the Woodmen of the World." (Mr. Vidal.)

THE SPEECH OF MR. WALLACE AT KINGSTON.

INQUIRY.

Hon. Mr. POWER rose to—

Call attention to a speech reported in the *Kingston News*, as having been delivered by Mr. N. Clarke Wallace, M.P., at a meeting of Orangmen held in the city of Kingston, on Friday, the 10th of March instant, in which he is reported to have used the following language, with respect to what is generally spoken of as "The Home Rule Measure for Ireland:"

"To this, our friends over there will never submit. Britain may cast them out, but if she does, she has no right to look for further allegiance. They are preparing for action. Their unalterable determination is never to submit to home rule, and they will have the sympathy of the Orangemen of Canada; aye, more than sympathy, they shall have our active aid, if that active aid be necessary. We shall be unworthy of our ancestors, if we fail in our duty in such a crisis;"

And ask the leader of the House—

Whether or not, Mr. N. Clarke Wallace, M.P., the Controller of Customs, disavows the use of the language so attributed to him; and if he does not, what action, if any, the Government proposes to take with respect to the conduct of the said officer, in using such language on the occasion in question?

He said:—I think it is perhaps hardly necessary for me, before beginning to say what I have to say, to disclaim any feeling of unfriendliness towards Mr. Wallace, or the body of which he is at this time the head in Canada. I cannot myself see why, even if a secret organization should be deemed necessary or desirable to protect the interests of the Protestant minority in Ireland, the same organization should be necessary to protect the interests of the Protestant majority in Canada, more particularly in the province of Ontario, where the Protestants outnumber the Catholics about as five to one. It has, however, pleased Providence, in its inscrutable wisdom, to allow Orangeism to be transplanted to Canada and to take root here and flourish luxuriantly, and I for one am not seriously disturbed over the fact. I do not know very well what the fundamental principles and doctrines of the Order are, but I know that the great majority of the members of the Orange body are fairly good citizens. Many of them are upright and estimable men, and there are some of them so fair-minded and at the same time so intelligent and enlightened that they recognize the fact that a Roman Catholic may safely be placed in a position of trust, either public or private, and not only that, but they act upon their belief and do so place Catholics. We have one member of the Order in this House—a prominent member—who comes within the last category. In calling attention to Mr. Wallace's speech, I feel that I am acting in the interests of public and official decorum, and I think I may add of public and official decency. Some hon. gentleman has said to me that the occasion when these remarks were made was not a public occasion. That is not a correct statement. The occasion I take it was almost as public as a meeting of the Senate. The occasion was a public dinner given in the city of Kingston, in honour of a prominent citizen of Kingston. It was not in any sense a secret gathering. Letters of regret were sent by gentlemen occupying official positions. There were newspaper reporters present; and this dinner to Capt. Gaskin of Kingston was no more a secret or private gathering than the dinners which take place in the old country, at which the leaders of public opinion in that country often disclose their policies. I feel, consequently, that there is not the slightest impropriety in referring to what has already become public property. I shall quote a few words from the speech made by Mr. Wallace on the occasion in question, and I shall quote from the *Kingston News*, which I understand, is the Conservative organ in Kingston. The reports of Mr. Wallace's speech given by the two newspapers in Kingston, the *News* and the *Whig*, are substantially the same. The first objectionable observation which Mr. Wallace made—and I may remark that apparently nothing had been said by any one previously to call forth the remarks which Mr. Wallace made, there was nothing bad tempered or sensational or of a sectarian character said up to the time that Mr. Wallace spoke—was as follows:—

> He referred to the record of Kingston in the annals of Orangeism, and recalled with admiration the refusal of the brethren here to remove their arches at the behest of the Duke of Newcastle on the occasion of the visit of the Prince of Wales.

I think that most people will feel that, whether they approve or disapprove of the action of the Orangemen in connection with the visit of the Prince of Wales to Kingston some 33 years ago, at any rate it is one of those occurrences which are better not recalled. I may add as showing that Mr. Wallace was not as careful about his statements as he should be, that he is reported in the *Whig* as having said, with respect to the Duke of Newcastle, under whose tutorship the Prince of Wales was travelling, that he pretended to be a Protestant but that he avowed himself a Roman Catholic before his death. Mr. Wallace is altogether in error on this point. That Duke of Newcastle never did so. His son, some 20 years after his death did become a member of the Church to which I belong. However, this visit of the Prince of Wales is not a very serious matter. Later in the speech came the language to which I refer in the notice. I do not know that it is necessary for me to read it over again. Now, what is the meaning of the language reported as having been used by the Controller of Customs? It is just this, that if the wishes of the vast majority of the people of Ireland shall prevail, and if Ireland shall enjoy rights of self-government, such as are enjoyed by the people of Mr. Wallace's own province of Ontario, then the Orangemen of Ireland will resist and resist by force.

Hon. Mr. ALMON—No.

Hon. Mr. POWER—If my hon. colleague will endeavour to keep himself in a more subdued frame of mind until I have got through, I have no objection to his saying all he pleases, but it is not easy for two members to address the House at the same time. I was just stating what this language meant—that it meant that, in case this measure, the character of which I have indicated, should be made law by the British Parliament, the Orangemen of Ireland will resist and resist by force.

Hon. Mr. ALMON—No.

Hon. Mr. POWER—The hon. gentleman can point afterwards that it is not so. I say that if any other meaning can be attached to the language used by Mr. Wallace and used by the people whom he was promising to assist than that they mean to resist the law if the home rule measure shall become law, then one cannot understand the meaning of language. When we find that orders are given to manufacturers in Birmingham and other places for large quantities of rifles, we cannot deem it likely that those who mean to buy them propose to depend upon moral suasion.

Hon. Mr. DOBSON—How does the hon. gentleman know that large orders were given?

Hon. Mr. POWER—We know through the newspapers.

Hon. Mr. FLINT—Perhaps, they were pop guns.

Hon. Mr. POWER—I shall read the language again.

Hon. Mr. CASGRAIN—Dispense.

Hon. Mr. POWER—Whether it means using firearms or not it does not make any material difference. What he said was "to this our friends there will never submit. Britain may cast them out, but if she does she has no right to look for further allegiance."

Is not that a declaration that they will not be any further loyal? He continues "they are preparing for action. Their unalterable determination is never to submit to home rule, and they will have the sympathy of the Orangemen of Canada—aye, more than sympathy, they shall have our active aid, if that aid be necessary. We shall be unworthy of our ancestors if we fail in our duty in such a crisis."

If its Irish opponents refuse positively to accept home rule and submit to it, there is only one way of hindering it from going into operation, and that is by force; and we are told that if they do resist the law they shall have the sympathy and active aid of the Orangemen of Canada in their resistance. To the ordinary reader that is the meaning that would be conveyed by that language. I do not know whether that was the meaning which Mr. Wallace intended to convey or not; but that is the impression which would be conveyed to the ordinary reader of that language. Now what is that language? It is simply deliberately conceived, prospective treason. This gentleman says: "If the Queen, Lords and Commons of Great Britain and Ireland pass this measure, and it thus becomes law, and is entitled to the loyal obedience and allegiance of every British subject, we shall not obey it. Our friends in Ireland will resist, and we are prepared to offer them active help in their resistance." That naturally means that we should have a second edition of the Williamite wars in Ireland, and that the waters of the River Boyne might be again crimsoned with Irish blood. Such language as that, coming from any gentleman of prominence would be inexcusable, but coming from a gentleman who is a member of the Parliament of Canada, and the virtual head of a great Department which controls an enormous patronage, and who draws a salary from the Public Treasury of $5,000 a year, I think it is so outrageous as to be almost incredible. I am afraid, however, that there is no doubt about the use of the language. I find, as I have said, that the reports in the two newspapers, the Conservative and the Liberal newspapers of Kingston, are almost identical. I find in a subsequent issue of the Conservative paper, the issue for the 15th March, that there is a reference to this matter which I think puts it beyond any question.

Hon. Mr. CLEMOW—Is that *The Whig*?

Hon. Mr. POWER—This is *The News*. The one which I read first was the paper of the 11th. In *The News* of 15th March, there is an article headed "Davin and Wallace" which I may as well read in full; it is very short:—

> Mr. Wallace, M. P. and Controller of Customs, must have forgotten that he was a Minister of the Crown when he intimated in his speech in this city the other night that the Orangemen of Canada would assist their brethren in Ireland in armed resistance to Home Rule, so, at any rate, thinks Mr. Nicholas Flood Davin, M.P. for Regina, who has given notice in the House of Commons that he will to-day put the following inquiry.

And then the inquiry is given, and the *News* goes on:

> As the report from which this extract was taken appeared originally in the *News*, we may remark that the shorthand notes are still extant, and that Mr. Wallace said at least as much as was transcribed."

So I do not think there is any question about the use of the language. In order to remove any possible doubt about this matter, I shall read a despatch which appears in the Montreal *Gazette* of yesterday, headed, "Ulster Conservatives Express Thanks to Their Countrymen in Canada for Their Proffered Assistance."

> London, 18th March.—The following manifesto has been issued by the members of the Ulster Conservative party to their countrymen in Canada in response to the offers made at public meetings at Toronto and elsewhere to send practical assistance to enable the Irish Loyalists resist a home rule Parliament:—
>
> We, the majority of the parliamentary representatives of Ulster, representing a majority of the people of that province, cordially thank our friends in Canada for their recent expressions of sympathy and offers of assistance in the event of any attempt being made to coerce our people into submission to

a rebel Parliament. We hope that such an emergency may never arise, as we cannot believe that such unparalleled political infamy could ever be perpetrated as to attempt to force a hateful yoke upon a loyal and peaceful population against their will, and against the will of the majority of the people of Great Britain. If such tyranny be ever attempted, we are rejoiced to know that we can confidently rely in the hour of our need upon the sympathy and help of our friends and kinsmen in Canada.

This is signed, on behalf of the Ulster members of Parliament, by E. Saunderson, Chairman. So I do not think there is any doubt about the language; and that despatch goes to show that it was not language used without deliberation, and the whole circumstances of the case go to show that Mr. Wallace spoke after careful preparation.

Now, to realize the serious character of Mr. Wallace's offence, let us take another case. Mr. Wallace is not a member of the Administration, I am happy to say, but he is what is called in the old country an Under Secretary; and I understand—it has been stated in the House of Commons—that he controls and is to control the patronage of the Customs Department. There is another officer occupying a somewhat similar position, the Solicitor-General, Mr. Curran. Let us suppose that Mr. Wallace's colleague, Mr. Curran, had declared at a banquet of the St. Patrick's Society in Montreal, which he attended two or three days ago, that if Home Rule were not granted, the Home Rulers of Ireland—who constitute about four-fifths of the people of Ireland—would rise in rebellion and would claim by force what had been denied to justice and reason, and that in such case their Canadian friends would extend to them their sympathy, and more than that, help in the shape of men and money in resisting the officers of Her Majesty's Government—what would the people at large say of that? Would there not be an outcry from all parts of Canada and of Great Britain and Ireland as well, and a demand for Mr. Curran's immediate removal from office, and would not this demand be loudest from the belligerent gentlemen who are now trying to urge the people of Ulster into rebellion? The genial Solicitor-General, whom everybody is disposed to like, you would probably hear dubbed "a black hearted traitor:" the benevolent despot who just now presides over the destinies of the Senate and of Canada would be unable to resist the demands for the decapitation of that officer; and even the unqualified retraction of his speech would hardly save the official head of the Solicitor-General.

Hon. gentlemen, this is a very serious matter. There is just one excuse for this offence, or one fact which might be submitted as a palliation, and that is that gentlemen more highly placed than even the Controller of Customs of Canada, gentlemen in the old country who ought to set an example of prudence and loyalty, have used language calculated to convey an impression similar to that conveyed by the language used by Mr. Wallace. The language is exceedingly discreditable to these gentlemen, particularly as, not many years ago, the party whose leaders are now using language of that kind were in treaty with the leaders of the Home Rule party with a view to introduce a measure of Home Rule. Hon. gentlemen must remember that those gentlemen have an excuse which Mr. Wallace has not. Those gentlemen are out of office and are trying to get into office; and, as the humourous member who so long represented the County of Wentworth in the House of Commons used to say, "the she-bear robbed of her whelps is mild when compared with the Liberal-Conservative out of office." There is that excuse for the language used in the old country by the Conservative gentlemen who are out of office. There was nothing of that sort in the case of Mr. Wallace. He and his friends were in office, and he was very comfortably fixed. Now, hon. gentlemen, as far as regards the use by Mr. Wallace of the language attributed to him, I think there can be no question.

I have no idea whatever as to the course the Government propose to pursue, but I can form some idea of what the Controller of Customs has earned, what his conduct merits, when one considers the fate of two or three less conspicuous offenders who were guilty of a much less serious offence. I am not an annexationist, hon. gentlemen; I believe that our own political and social systems are preferable to those of the great Republic; but, for a man who thinks differently, I hold that it is not treason to advocate the union of Canada with the United States if that union is to be brought about by peaceful means and with the consent of the Imperial Government. I contend that that is not treason. Certain persons in Canada have undertaken to bring about the union of Canada with the United States by peaceful means, and with the consent of the Imperial Government; and that is a much less serious offence than taking up arms in rebellion or assisting in armed rebellion against the Imperial Government. One gentleman who committed this offence was a Mr. McDonald. He was an officer in the militia, and his commission, I understand, has been cancelled. Another was a gentleman in the employment of the Local Government of Ontario, Mr. Elgin Myers, who filled a not very important position in that province. That gentleman was requested to resign, and not having done so, he was ejected from office by Sir Oliver Mowat; and it would appear that the ejection has met with the approval of the great bulk of both parties in this country. Then the case which comes nearest home to us, is the case of J. J. Cosgrove of Toronto. That gentleman was an officer in the Inland Revenue Department, which is a sister department, so to speak, to the Department of Customs over which Mr. Wallace presides. That gentleman did not, as I understand, advocate annexation publicly, but being requested by some of his friends, he signed a paper intended to call a meeting to consider the question of annexation. That was by no means so great an offence as the one of which the Collector of Customs has been guilty; and what was the course taken by the Government? They dismissed Mr. Cosgrove; and they have shown in Mr. Cosgrove's case what they think of even a suspicion of disloyalty in an inferior officer. Now the question comes, have they a different standard for superior officers? Is the net which catches the little fish so constructed that the big fish can go through? There is this further consideration in the case of a man like Mr. Wallace, at the head of a great department like that, having probably as much patronage at his disposal as any head of a department in the Government: we have no guarantee but that he may take steps to fill the custom houses with officials who hold the same views as himself. I think, hon. gentlemen some action is due to the reputation of the Government and of the country, and to the sense of public propriety and decency which should prevail amongst all respectable people of both parties in this country.

Hon. Mr. ALMON—I trust I am not using unparliamentary language when I say that I think the senior member for Halifax has discovered a mare's nest. He is a man of cool judgment and perhaps with as little of the Irish fire in him as any man born on the Green Isle; but I thought at first, when I heard of this inquiry, that Clarke Wallace had been buying firearms and sending them home, which turns out not to be the case. He says the people of Ulster are opposed to Home Rule and they are not going to submit to it if they can possibly help it; and he says "if they want assistance from us we will send it." That I understood meant assistance in the way of money. I think that our friend Edward wrote out to us a short time ago asking for money in that same cause, and I believe he wrote to the Hon. Frank Smith, who was probably the best man he could communicate with for that purpose. If he had written to those close-fisted gentlemen, he would not have got much from them, but he knew where he was likely to strike oil; he wrote to Mr. Smith. I do not think that Frank Smith will send over very many blunderbusses and cannons. My view is that men who send their money over there are pretty big fools. I think they had better keep their money at home. I do not suppose, however, that money sent over there would be used for the purchase of firearms. The hon. member from Halifax went considerably out of his way when he endeavoured to show that it was the intention of Mr. Wallace to do anything more than advocate the sending of money over there to assist in the election of members. However, I do not think we have anything to do with that matter here.

Hon. Mr. BOWELL—I do not propose to be led into a discussion upon the question which my hon. friend from Halifax has referred to in his speech. He will permit me however, to thank him for the very good opinion he appears to have of some gentlemen who belong to the Orange Association. He says some of them are fairly respectable. I will reciprocate by saying that there are many gentlemen belonging to the religious profession to which he belongs that are eminently respectable, and I hope that the great mass of those to whom he has referred to-day are equally respectable with those to whom I have referred. However, they must be judged by their conduct. The hon. gentleman has referred to a great many points, and if we were on the stump and were seeking the ears of the electors, and desiring to appeal to the passions of either one class or the other, I might be inclined to have a tilt with the hon. gentleman; but as this is not the case, I can only repeat the language of a very eminent poet belonging to our own nation which I think is very apt in this case, that "a little nonsense now and then is relished by the wisest men." I do not desire to be disrespectful in my reply and will not say that all his remarks were nonsensical, though I think it would be very much better if we in this country learned one fact; that is, to allow the people across the water to deal with the questions which affect them without dragging them into our discussions, particularly in the legislative halls of this country. My hon. friend would probably have been a little more fair, notwithstanding the fact that he had given that notice, if he had amended it by copying the revised report published in the newspaper to which he referred.

Hon. Mr. POWER—I looked for the revised report and could not find it.

Hon. Mr. BOWELL—I would have given it to the hon. gentleman if he had asked for it; I have it here. So far as those points are concerned, however, there is not a material difference; I do not draw the deductions from the language that has been quoted, that the hon. gentleman does. I am not going into a defence or a condemnation of the language, but I interpret it very much as the junior member from Halifax does. I should be very sorry to accuse Mr. Blake of disloyalty because he has appealed to a certain class of the Canadian people to aid the Home Rulers in the political fight which is now going on in the old country. I do say this, however, that while my hon. friend may be an ardent supporter of the policy pursued by Mr. Blake at present in favour of Home Rule, there are in this country others who differ from him in *toto* on that question, and that they have just as good a right to expend their money and aid those who think as they do, as my learned friend has to expend his money in aid of the Home Rule movement. Upon that broad principle I have nothing more to say. The Government have no official knowledge of the language used by Mr. Wallace more than the hon. gentleman has; neither do they hold themselves responsible for language which may be used outside of the House in connection with the political affairs of the empire generally, any more than the administration of 1876 held themselves responsible for the utterances of one of their colleagues in the County of Argenteuil, when he made use of language which was taken exception to by the late Mr. Holton. Mr. Mackenzie replied that he was not responsible for Mr. Huntingdon's utterances upon questions that affected the local politics or the religion of certain people in that province. Mr. Huntington at that time was the Postmaster-General and a member of the Administration, and might be held by his leader responsible for his utterances. Further than this I do not propose to discuss this question. As to the action of certain people so long ago as the time the Prince of Wales was here, I shall leave that to the hon. gentleman sitting to his right to defend, if he deems it necessary. However, I can assure him and I am quite safe in saying it, that if the Queen of England has to wait for an attack upon the throne, or upon the institutions of the country, by treasonable men, until Mr. Wallace or those whom he supports in the North of Ireland rebel, she will long reign over us, and God grant that she may.

Hon. Mr. CLEMOW—I regret that the hon. member from Halifax considers it his duty to bring this matter under the consideration of the House. We have one assertion from the hon. gentlemen, however, that must be satisfactory to the great body of Orangemen in this country—that they are moderately respectable citizens. The Orangemen of this country will feel under deep obligation to my hon. friend, the member from Halifax, in coming to this conclusion, because it is universally admitted that the Orangemen of this country, of all parts of the empire, have been loyal and true to the British Throne. I do not think we have anything to do with the utterances of gentlemen occupying positions such as Mr. Wallace holds. It is a free country and we are entitled to free speech; I see nothing in the utterance of Mr. Wallace upon the occasion referred to which should bring any condemnation on him or the body that he has represented for so many years. If all the acts that have taken place during the last ten or twelve years were brought before the notice of an Assembly like this, there would be a stir from one end of the province to the other; but there has been no case of that kind occurring among the Orangemen, and I agree with the leader of the House when he says that it will be a long time before the Queen of Great Britain will be dethroned by Orangemen. There appears to be a great diversity of opinion on this Home Rule measure. I do not propose to enter into a discussion of the question, or to say whether it is right or wrong, but there are many people in this country, as well as in England and Ireland, who do not approve of the present Home Rule measure as introduced. It is due to a very great extent to the fact that we in Canada have enjoyed a certain amount of Home Rule, but of a different nature from the Home Rule that was sought in Ireland at the commencement of the agitation. I do not think there would be a dissentient voice among the Irish Protestants of this country if a bill were inaugurated to give substantial justice to all sects and parties in Ireland; but they think—whether rightly or wrongly is not for me to say—that their rights will be imperilled, and taking that view of the case they are determined, as far as lies in their power, to act in a way that will prevent the passage of that Act. My hon. friend from Halifax introduced into this debate a matter that took place when the Prince of Wales was here a few years ago.

Hon. Mr. POWER—I simply read from the speech made by Mr. Wallace, at Kingston, as regards that matter.

Hon. Mr. BOWELL—And commented on it.

Hon. Mr. POWER—Simply pointed out that it was a mistake.

Hon. Mr. CLEMOW—Mr. Wallace had nothing to do with the arches being thrown down in Kingston. The circumstances were very different. The Prince of Wales came to this country, and at that time the Orangemen of the old country were suffering under great disabilities and not allowed to hold any positions under the Government. The Duke of Newcastle, acting under instructions from England, found it impossible to recognize in any way the loyal Orangemen of this country. I think it was a bad business, but still it took place. The Orangemen did not commit murder over it; they submitted in a quiet and peaceable manner to the treatment they received at the hands of the Duke of Newcastle. I may say I regret exceedingly that this matter has come up in the Senate. We have been a long time living harmoniously together, and we want to continue in that line. We do not want any firebrands among us, irritating the people of this country. Goodness knows we have sufficient to cause irritation without bringing up those questions which do not affect us at all. The people of Ireland can very well take care of themselves without the intervention of the hon. member from Halifax. I consider it my duty, being an Orangeman and a friend of Mr. Wallace, to come forward in his defence. Of all men in this country he is the one who least deserves this attack. He has been here a long time and has occupied positions of trust. He is an honourable man and he would be the last in the world to do anything to bring discredit on himself or on the country. If the hon. gentleman from Halifax had waited to hear the reply of Mr. Wallace in the lower House, which is going on at the present moment, I do not think he would have considered it necessary to introduce the subject here. Our duty is to carry on the affairs of the country. We are not a political body to any great extent, and we want to do what we can to serve the best interests of the country. I believe it would be better for the hon. member from Halifax and for this House and for the country if the matter had not been referred to at all, but that Mr. Wallace should be allowed to express his views as he thinks proper without commenting on them here. The effect of the hon. gentleman's action will not redound to the credit or advantage of the party to which he belongs.

Hon. Mr. POWER—I wish to say one or two words in explanation.

Hon. Mr. BOWELL—I should like to have it understood, or to understand myself, what the rules of order are in this House. Is a general discussion upon a question put to the Government in order and has the member of the Senate who asks the question the right of replying? I can understand that upon a substantive motion it may be allowed, but if this practice is to be permitted, there will be no end to discussion upon every trifling question put in the House. I do not object to the hon. gentleman speaking, but I have been forcibly struck, since I have had a seat in this House, with the fact that on mere inquiries such as this, not only is there a general discussion, but the member who asks the question invariably rises to reply. That provokes other replies, and there is a continued discussion. I wish the hon. gentleman to understand that I do not rise to prevent his making an explanation, but I think it is a very good opportunity to have this point of order decided. I wish to know what the practice has been and what it is to be in the future.

Hon. Mr. ALLAN—There is no doubt that the practice has been in this House, to permit a member who has made an inquiry to reply after the leader of the Government has spoken, but I ventured when I was Speaker to call the attention of the House to the inconvenience likely to result from such a thing, because the House can see that when a matter of the kind is brought up, if the one who introduces speaks and is followed by others and the leader of the Government makes a reply, there should be an end to the question. Great inconvenience has arisen from the fact that after the leader of the Government has made his reply, other members have spoken and the leader of the Government must either leave what is said after his reply to the question unanswered, or rise to speak again. I hope the hon. gentlemen who have the revision of the rules under their charge will take cognizance of this practice. My hon. friend from Halifax has a perfect right under the practice of the House, to speak again, but I can only say that the whole thing is exceedingly inconvenient and irregular.

Hon. Mr. MASSON—This is not a question of tolerance, so far as the Senate is concerned. We have the same rules as the House of Lords in England, and in England it is a well established fact that if a question is put on the instant, there is no discussion allowed, but in the House of Lords, when a peer wants to have an explanation of a subject and a discussion to follow, he has only to place a notice on the paper and then it becomes a subject for discussion. The hon. leader of the House was not a member of the Senate when that question was discussed last year, but it was understood then that if a discussion was desired notice should be given. Of course it may be considered desirable to change this rule, but I wish to point out that the hon. member from Halifax is acting upon the well understood practice of the Senate

Hon. Mr. BOWELL—The point that I put is this:—Has an hon. gentleman who makes an inquiry a right to reply after his question is answered, as he would have if he had made a substantive motion.

Hon. Mr. POWER—I do not propose to go into any new matter at all. I wished to say that my object in calling attention to this subject had apparently been misapprehended by the hon. gentlemen who have spoken.

Hon. Mr. BOWELL—That is not an explanation; that is a reply to what has been said.

Hon. Mr. POWER—I think the hon. gentleman is a little too sharp. I say I have been misapprehended, and the fact that I have been is apparent from the construction that hon. gentlemen have put upon my language. They assume that I have raised a question as to the right of persons in this country to assist those who are opposing the Home Rule movement in Ireland. I never intended to do that. I called attention to the language used by the Controller of Customs in Kingston, to the effect that if, after this Home Rule measure became law, the people of the north of Ireland, who are opposed to it should resist it by force, they would be assisted in their forcible resistance by the Orangemen in Canada. Now, that is a totally different thing from the matter which these gentlemen talked about. What comparison is there between what Mr. Wallace advocates and Mr. Blake's getting money to carry on a political campaign in the old country? One is a constitutional, legitimate and proper thing. I did not say whether Home Rule was a desirable thing or not. The two parties are fighting about it, and I, as a loyal subject, shall submit to whatever the decision of the British Parliament may be. What I say is that the Controller of Customs has announced that under certain circumstances he and his friends will be prepared to be disloyal and to aid people to take up arms against the Government of the Empire. That is a very serious thing. It is no use saying that we are not concerned in it. No matter where that language is spoken, it is still the language of a member of Parliament and of a prominent officer of the Government. How is it, if this language of the Controller of Customs does not come within the jurisdiction of the Government, that the act of Mr. Cosgrove, in signing a requisition to call a meeting, was brought before the Government? That was not done in Mr. Cosgrove's official capacity; it was done as a citizen of Toronto. However, I am getting beyond the explanation now.

Hon. Mr. BOWELL—The hon. gentleman asks how did the case of Mr. Cosgrove come before the Government? This is an illustration of the inconvenience arising from the practice to which I have referred. Since the matter has been introduced, however, I must explain that Mr. Cosgrove's case was brought under the notice of the Department by the representatives of some of the constituencies in and about Toronto, who made a complaint that he had signed a disloyal document, and the matter was thoroughly investigated. So much for that. The hon. gentleman has put a wrong construction upon my words—I will not say intentionally. The reason I introduced Mr. Blake's name was this—the junior member from Halifax interpreted the language of Mr. Wallace to be a call for aid in money. I accepted that interpretation, and I asked was that more disloyal than Mr. Blake's appeal for aid to conduct the repeal movement on the other side. I can only say that I fully concur in the remarks made by the hon. member from York and I hope that the hon. gentleman who is Chairman of the special committee to revise the rules of the House will take care that this subject is thoroughly defined in the future as to what is admissible and what is not.

THE POST OFFICE AT SACKVILLE.

INQUIRY.

Hon. Mr. BOTSFORD inquired if the Government intend to make provision this session for the construction of a suitable post office at Sackville, N.B. He said:—I owe the Senate an apology for introducing such a local matter, and I feel bound to explain why I think it necessary to put this question and to show that Sackville has been neglected in the matter of postal facilities. The claims of the place are these: It is a centre of 5,000 inhabitants, with a railway station, where a large amount of business is done. A branch railway extends from the station to Cape Tormentine, which is the means of communication with Prince Edward Island in the severe months of winter, and the mails are carried by that route. Sackville possesses a population which has a very large correspondence. There are two academies there, a university and a commercial college, at which some 250 students are at this time in attendance. Including the professors and others employed there, over 300 persons are connected with these institutions who have a large correspondence with all parts of the Dominion, for most of the provinces send their young people to be educated at Sackville. There are large manufactories in the place, there are two foundries, a cheese and butter factory and a large carriage factory. Sackville possesses a larger tract of alluvial marine land than any other part of the province, not less than 30,000 acres; consequently there is a large correspondence carried on through the post office. These are claims which I think ought not to be ignored, but when I call the attention of the Government to the condition in which the post office is now, it must be apparent that justice has not been done to that district. The building is very small: the space allowed for the public is not more than nineteen by six feet. Persons coming from a distance in bad weather crowd into that office, and I have known occasions when persons who had boxes at the post office were unable to get at them in consequence of the crowded condition of the room. Under the circumstances, I think Sackville is entitled to better accommodation than it possesses. In fact the accommodation is not creditable to the Government. Looking through the statistics I find that other places with less population and yielding less than half the revenue that is collected at our office, have larger buildings—or ought to have larger, because I see in some parts of the Maritime provinces as much as $25,000 has been appropriated for the building of post offices in less populous centres than Sackville. In Prince Edward Island post offices have been built in places with not half the population of Sackville and not more than one-quarter of the revenue collected. It seems impossible to find out on what principle the Government have acted in erecting post offices in the various parts of the country. There seems to be no system about it. I hope, under the circumstances, the Government will take this matter into very serious consideration and give better accommodation to the parish of Sackville.

Hon. Mr. BOWELL—My hon. friend is altogether too old a parliamentarian not to know that representatives of the Government in either House never give information as to what will appear in the estimates. I shall therefore have to ask him to wait until these estimates are laid before us; but I will promise him this, that I will bring his remarks and his advocacy of Sackville before my colleagues so that they may understand the necessity of having better accommodation for the business of the post office at Sackville.

CANNED GOODS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (R) "An Act further to amend the Act respecting Canned Goods." He said:—There is very little change proposed in this Bill from what already appears on the Statute-book. It is simply to compel the canners of fruit to have the names of their factories legibly stamped on the cans either by label or some other mode. At present all that is necessary is to have the name of the dealer, but as a better guarantee as to the purity of the goods it is deemed advisable, not only by the Government but by the canners themselves, that each canner should be compelled to have the name of the factory, or the party who owns it, stamped on the can. I may add that this is done at the instance of the Fruit Canners' Association of Ontario.

Hon. Mr. DEVER—I might point out to the Minister of Trade and Commerce that the name on the can would not amount to much unless there was also the date when the fruit was canned.

Hon. Mr. BOWELL—I think the suggestion is a very good one, because as the hon. gentleman very properly pointed out, the fruit might be three or four years old and deteriorated. When we go into committee to-morrow, I think we can make such an amendment as will carry out the hon. gentleman's views.

Hon. Mr. PROWSE—These labels are printed in very large quantities and the packers generally import a large number at a time, because the larger the quantity the cheaper they can be produced. It is expensive work, as there must be a different block prepared for each colour. If a bad season should be experienced, a large number of these labels would probably be left over, and if the suggestion of the hon. gentleman from St. John were carried out, these labels would be useless, because the alteration of the date could not be made by a pen or by obliterating the old number in any way. Then, again, fruit put up in cans hermetically sealed should keep well. If decomposition sets in, the cans expand and anybody can tell immediately whether the contents are sound or not without opening the can. This Bill does not apply to the labels on the cans, but to the label on the package containing the cans. Perhaps, it should be made to apply both to the packages and to the cans.

The motion was agreed to, and the Bill was read the second time.

CANADIAN POWER COMPANY'S BILL.

SECOND READING.

Hon. Mr. FERGUSON moved the second reading of the Bill (63) "An Act respecting the Canadian Power Company." He said:—The object of this Bill is simply to enlarge the powers previously granted to this company, enabling them to take water from the Niagara River at a different place.

The motion was agreed to, and the Bill was read the second time.

THE SPEAKER OF THE SENATE BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (N) "An Act respecting the Speaker of the Senate."

In the Committee, on the first clause,

Hon. Mr. BELLEROSE moved that the first clause be amended by inserting after "leave" the word "temporarily," and to leave out from "Chair" to the end of the clause and insert "until the Speaker resumes the Chair during the same sitting." He said: In my opinion we have no right to appoint a Speaker, but I believe that the Speaker of the Senate, even without this legislation, has a right to leave the Chamber for a short time and to call another gentleman to replace him. The Senator thus called to fill the Chair in his absence will have no power as Speaker. It is to make this provision that I have moved this amendment to the first clause.

Hon. Mr. ANGERS—I do not know that it is necessary for me to give any explanation of the unnecessary amendment which has been proposed to the first clause. It is proposed to have it read "temporarily." The whole sense of the phrase shows that the replacing of the Speaker by a member of the Senate is for a temporary absence. That would be superfluous, I think. If you strike out the words following "Chair" and insert the words proposed, you again get into trouble, because if there is a necessity for the Speaker to leave the Chair and to call some other Senator to replace him for a while, that replacing may last the whole sitting; he may be so unwell that he cannot return and resume the Chair before the House rises; therefore the clause in itself would be impracticable. I think the language of it is as perfect as it is possible to make it. With reference to the two amendments proposed by the hon. gentleman, the first one is covered by the wording of the Bill, and the second would be defeating the object that the House has in view. Therefore I think the first clause should be carried as it stands.

Hon. Mr. POWER—The hon. gentleman has not been long enough in the Senate to ascertain that it is difficult to say of any clause that the language is perfect.

Hon. Mr. ANGERS—No; as perfect as possible.

Hon. Mr. POWER—The hon. gentleman has just stated that it is as perfect as it can be. That remark would come better from somebody else than from the gentleman who is responsible for the Bill.

Hon. Mr. ANGERS—Explain why.

Hon. Mr. POWER—I think there is an old saying about self-praise.

Hon. Mr. ANGERS—I gave the House to understand that the Bill was not drafted by me, but by the Minister of Justice. The remark applies to him and not to me. If the Bill had been drawn in French I would be more able to appreciate the construction of it.

Hon. Mr. POWER—I will not say the Minister of Justice did not draw the Bill, but it is not the practice for him to draw Bills. They are generally drawn in the department. This House dealt last year with a measure which came from the Department of Justice. Although it was amended by a Joint Committee in a great many ways, this House amended it in forty different ways, and it is not perfect yet. So hon. gentlemen should be a little slow in describing any measure as being perfect. I think the criticism upon this clause which is given to the House by the hon. gentleman from DeLanaudière is a justifiable one. I quite agree with the hon. Minister of Agriculture in thinking that the word "temporarily" would not be necessary, because the subsequent language of the clause would show that the absence of the Speaker was to be only a temporary one. Here is the language:—

> Whenever the Speaker of the Senate, from illness or any other cause, finds it necessary to leave the chair during any part of the sittings of the Senate, on any day, he may call upon any Senator to take the chair.

That is doing all we wish to do, but this Bill goes on to say:—

> And preside as Speaker during the remainder of such day.

There you enter upon debatable ground. It does not add anything to the value of the Bill; as long as the Senate can put some one in the Chair that is all that is necessary, and when you say "and preside as Speaker" you may be going further than you have a right to do. The Speaker of this Senate is appointed by the Governor-General and the person we put in there presides as *locum tenens* for the Speaker, but not as Speaker; and I think the criticism of the member for DeLanaudière is just. The Bill would not be injured by the striking out of these words. The further change which the hon. gentleman suggested, that he shall take the Chair until the Speaker himself resumes the Chair before the close of the sitting for that day, is also quite defensible, because I do not understand that the intention of the Government is to appoint a salaried officer who is to be a Deputy-Speaker like the

Deputy-Speaker of the House of Commons. Then, if not, the other senator should be called to the Chair only for the time being and not to wait to the close of the meeting, and adjourn the House. If it should happen—which has not happened yet during these 26 years—that the Speaker after leaving the House was taken seriously ill, then under clause 2, the Clerk would inform the House that the Speaker was ill, and the House would appoint some one to take the Chair and adjourn the House. Unquestionably there is a good deal of doubt about our power to appoint an acting Speaker, and the wiser course would be to adopt the course recommended by the hon. member for DeLanaudière.

Hon. Mr. DICKEY—I am afraid I must differ from my hon. friend in regard to his observations upon the remarks of the hon. Minister on the other side. I think that the hon. gentlemen was rather hypercritical: when the Minister made use of the words "as perfect as possible," he used them in a comparative sense, that it was better than the amendment. It has been said that it is not necessary to put in this and to strike out the words "and shall preside as Speaker." Those words are in the Act, which was the result of the amended legislation on the other side of the water in regard to the Speaker of the House of Commons; and this Bill is drawn exactly upon the same lines, and it is only that he is to preside as Speaker. That, my hon. friend from DeLanaudière has a perfect right to object to, and he is in his right when he states that he opposes it. The Bill is to provide for the temporary absence of the Speaker. The Bill provides that the new member would go into the Chair and preside as Speaker until the Speaker himself came back, and it is directly contrary to the principle of the Bill to strike out those words. He does not go into the Chair as a mere figurehead. He is in place of the Speaker. Therefore the words are in accord with the object intended by the legislation. I think there can be no dispute about that; and the words "until the Speaker himself resumes the Chair" shows it, although for the moment he presides as Speaker, or else he is a nuisance there, and an unnecessary part of it altogether.

Hon. Mr. ALLAN—Would not it be desirable to use the same expression in both clauses? If the gentleman was placed there in the absence of the Speaker, either temporarily or for some time, as the Speaker has to act in the same capacity, would not it be better to use the same expression in speaking of him in both clauses? In one clause he is said to preside as Speaker, and in the other to act for the Speaker.

Hon. Mr. BELLEROSE—I believe the reason given by the hon. Minister of Agriculture is a good argument in my favour. The hon. Minister of Agriculture says that if the amendment proposed should become a part of the law it might happen that the Speaker could not resume the seat at the end of the sitting. That is just the reason why we should have the amendment, because if the House is not allowed to adjourn with the gentleman in the Chair who is not the Speaker, then I say it will not be constitutional; but if he is the Speaker or the Deputy-Speaker, or acting as Speaker, then the difficulty arises also whether this is constitutional; but if it is stated that he resumed his seat before the end of the sitting then it prevents a breach of the constitution. Now what is the consequence of that? Let us take a case which has happened already. I was called to order and I did not submit to it. I said I would rather go to the bar and make up my case. Supposing a gentleman had been in the Chair with no power, and I had been taken prisoner by the Usher of the Black Rod could I not proceed at law against the man who had ordered my arrest and against the man who had taken me in custody, for a breach of privilege and for an indemnity? To be sure I could. This shows the great necessity that the gentleman occupying the Chair should have the power and privileges which the British North America Act gives to the Speaker. It is to prevent such a difficulty as I have described, that I say the Speaker will have to take the Chair before the end of the sitting in order to adjourn; otherwise there is no adjournment. If the gentleman who replaces the Speaker has no authority he cannot act as Speaker. He may listen to the debates, but cannot do anything; if any difficulty occurs he has to send for the Speaker and the Speaker must decide. As the matter stands, there may be difficulty for the reason that the gentleman in the Chair had no authority. Supposing this Bill were not disallowed two or three years hence, the difficulty might have to be decided in the courts and my conviction is the courts would decide the man had no authority. I think we should deal with the matter fully now, in order to prevent difficulty in future. When I see such gentlemen as the hon. members from Amherst, Halifax, Richmond, York, the hon. Minister of Agriculture, and Sir John Thompson all disagreeing on this particular point, I am convinced that there must be a great difficulty somewhere. I am only surprised that those men who are responsible for the work will go on and say "Oh, never mind." With reference to the Bill regarding the swearing of witnesses, it would not have been extraordinary if the Bill had been approved of and sanctioned by the authorities, because that Bill came under the 91st clause of the British North America Act, and the only restriction upon it was the 18th clause; and what did it say? It said that the Senate had no powers except the powers which the English House of Commons had. That is the only restriction; but in this case there is a direct restriction. The 91st clause is restricted by the 34th, which states plainly that the appointment of the Speaker will be the prerogative of the Crown. That is quite clear. When you see the other Act disallowed by the Imperial authorities, although the Governor was convinced that it was constitutional, it is probable this also will be declared *ultra vires.* What difficulty could there be in postponing this Act till the next session? I would suggest to the Ministry that they might refer this Bill to the Supreme Court, as they did the Act of Manitoba, before getting the House in trouble. Supposing it had happened under this Bill that I was called to order by a Senator occupying the Chair in the absence of the Speaker, do you think I would have submitted? No, I would have gone to Court and sued him for damages. For these reasons, I think it is only right that we should move slowly in this matter and with great caution.

Hon. Mr. KAULBACH—I do not see why we should prolong this debate; the matter was fully discussed yesterday.

Hon. Mr. POWER—The hon. gentleman from Amherst and some other hon. gentlemen seem to have an impression that this Bill is not to be discussed, and if that is the sentiment of the House, I shall say no more. I thought our duty was to see that we were acting properly and constitutionally; but if that is not our duty, I shall be glad to be relieved of any responsibility in regard to the Bill. In line 5 of the first clause, the word "sittings" should be "sitting." I think also that we should make the amendment suggested by the hon. member for York division, that the Speaker may call upon any gentleman to take the Chair and act for him during the remainder of the day. The hon. gentleman thought the language in the two clauses should be uniform. When you say "preside as Speaker," you mean he is Speaker, and in the other case he is simply a substitute for the Speaker. The difference between those two expressions might mean the difference between the Bill being held within our powers and outside of our powers. We might have the right to put some one in the Chair during the absence of the Speaker, but not the right to appoint any one as Speaker.

Hon. Mr. DICKEY—The third clause provides that.

Hon. Mr. ALLAN—I suggested it would be desirable to have the language the same. I do not really press that, because my objection is as to the constitutionality, and I do not feel disposed to press for any alteration.

Hon. Mr. ANGERS—I am willing to accept the suggestion of the hon. member for York to make the language of the first clause similar to the second, or the reverse It is quite immaterial to me. I think it would be better to say "to preside as Speaker," in the first clause, and to use the same language in the second.

Hon. Mr. ALLAN—I take it for granted that the intention of the hon. gentleman who introduced this Bill is to provide that, the gentleman who is placed in that Chair shall be, to all intents and purposes, the Speaker for the time being; otherwise the legislation would be of no value. If that is what is intended, it is better to put it so that there can be no mistake about it.

Hon. Mr. POWER—The wiser plan would be to adopt the practice of the House of Lords. Our Speaker is appointed by the Governor-General, just as the Lord Chancellor is appointed by the Crown. In the House of Lords the Crown appoints three or four Deputy-Speakers, and when the Lord Chancellor is obliged to leave the Chair he calls one of these Speakers to the Chair. If the Lord Chancellor and those Deputy-Speakers are all absent, then the House itself chooses the Speaker. I think it would be a more convenient practice to have some two or three gentlemen recognized as being those who would be called to the Chair in case the Speaker were absent.

Hon. Mr. PROWSE—I daresay I may incur the risk of being reminded that "fools rush in where angels fear to tread," if I call attention to a point which has been overlooked in the discussion of this Bill. It seems to me that under the second clause of this Bill the Clerk of the Senate may have a little too much power, and I see no reason why that same power should not be vested in any Senator. It is just possible that a Bill may be pending before the Senate in which the Clerk, for the time being, may be very much interested, and he may act as this clause empowers him to do.

Hon. Mr. VIDAL—He could be dismissed.

Hon. Mr. PROWSE—His object can be attained by the delay.

Hon. Mr. ANGERS—What has been adopted here is the procedure followed in the House of Commons when that House meets and there is no Speaker. The clerk of the House rises and, without offering a word, points to the leader of the Government, who is thereupon given the floor, and he proposes that a member of the House be chosen to take the Chair. The legislation proposed here is in the same sense. When you are choosing a member of the Senate to fill the Chair temporarily, somebody has to preside. There may be a debate when you are making the choice of the gentleman who is to fill the Chair temporarily. The Clerk of the House is presumed to be presiding over the discussion then going on, and it is he who is called upon to give the floor to the members of the Senate wishing to speak upon the choice. The wording of this clause is in accordance with the practice in England and in the House of Commons here.

Hon. Mr. VIDAL—And our own practice in committee.

Hon. Mr. DICKEY moved to amend the clause by inserting after the word "Speaker" "until the Speaker himself shall resume the Chair, or another Speaker be appointed by the Governor-General." He said:—My object in proposing this is to carry out the view which is carried out in the same clause providing for the Speaker resuming the Chair. I had another object in view to which I hope the Committee will not object—that is, to make our legislation as perfect as possible. I wished that there should be a legislative recognition on the face of this Bill that we do not propose in any way to interfere with the prerogative of the Crown in the appointment of the Speaker.

Hon. Mr. McKAY—I presume it is the intention, after this amendment is made, that the same Senator who is called to the Chair on an occasion of this kind shall be the Speaker until the Speaker returns, if it should be a week or more.

The motion was agreed to.

Hon. Mr. SCOTT moved that the word "appoint" be struck out of the clause and the word "choose" be substituted for it.

The motion was agreed to.

Hon. Mr. ANGERS moved that the clause be further amended by striking out the word "act" and substituting for it the word "preside."

The motion was agreed to and the clause as amended was adopted.

On the third clause.

Hon. Mr. BELLEROSE moved that this clause be struck out of the Bill.

The motion was declared lost and the clause was adopted.

Hon. Mr. POWER moved that a fourth clause be added to the Bill to provide that no additional charge on the revenues of the country shall be imposed by the passing of this Act.

Hon. Mr. ANGERS—There is no necessity for that; it is understood.

Hon. Mr. POWER—If it is understood, it is just as well to have it expressed.

Hon. Mr. MASSON—He could not be paid without a vote of Parliament.

Hon. Mr. POWER—I notice that a number of gentlemen say that this is unnecessary who are anxious that it should not be inserted in the Bill. It is as well that we should enact that the new office shall not involve a charge upon the public revenue. It was only a very short time ago that the Speaker of the House of Commons, who has ten times as much work to do as the Speaker of this House, got a paid assistant, and I do not think there is any excuse whatever for a further charge on the revenue of the country for the discharge of the duties of the Speaker of the Senate. It is as well that we should make it quite clear that this Bill shall not be taken advantage of hereafter for the purpose of appointing a paid officer.

Hon. Mr. MASSON — The ordinary interpretation of a statute is that no salary is to be paid unless the salary is mentioned.

Hon. Mr. BOWELL—Even supposing the clause which the hon. gentleman proposes were added to the Bill, it would have no effect whatever if the Government desired to pay a salary, because it could be done on a message from His Excellency placing an item in the Estimates to pay the Chairman or Speaker *pro tem.* That would override any law.

Hon. Mr. POWER—That is an entirely new doctrine.

Hon. Mr. BOWELL—It has been the practice of every deliberative body. There is scarcely a session of Parliament in which there does not appear a vote in the Estimates to such and such a person, notwithstanding anything in the Civil Service Act to the contrary. If an item were put in the Estimates stating that the Speaker *pro tem* should be paid a certain sum for services rendered it could be done and would not be a violation of law.

Hon. Mr. MACDONALD (B.C.)—This could be repealed at any moment.

Hon. Mr. ANGERS—I do not think the hon. gentleman from Halifax is endeavouring to better this law: he is attempting to defeat it. If the clause which he proposes were to be made part of the Bill, it could not be introduced in the Senate. It should be initiated in the other House, because a Bill which imposes any charge on the revenue of the country must be introduced there. The proposed clause is out of order, and would to a certain extent defeat the spirit of the Bill. It would lower the position and the choice that the Senate would be making of one of its members to fill temporarily the Chair of the House if we were to enact that he should not be paid. Of course it is an honorary office; it is left to the choice of the Senate. When a choice is made it is not by the Government but by the Senate, and the Senate could appoint nobody who could receive a salary unless it adopted the choice of the Government for which the Government is responsible. If the clause gave anybody to understand that the gentleman occupying the Chair during the absence of the Speaker could receive a salary, the Bill could not be introduced in the Senate at all.

Hon. Mr. BELLEROSE—I cannot concur in the views expressed by the hon. member from Halifax. Suppose under this Bill a Senator is called to the Chair and occupies it for a year, or two years, I should be the first member of this House to advocate that he be paid a salary during the time he occupies the Chair.

Hon. Mr. POWER—If the absence of the Speaker should be prolonged, the Government would naturally appoint a Speaker and that Speaker would be paid. I wish to say a word or two to the Minister of Agriculture: It is very unpleasant to have a difference of opinion of a decided character with a gentleman like him, but he must bear in mind that a good many of us have been here for some time and have a pretty fair idea of how the business of this House should be transacted. The hon. gentleman undertook to impute to me, in moving my amendment, a desire to defeat the Bill. He was out of order in doing so. I think, on the contrary, the addition of the amendment might be the means of saving the Bill, because the amendment, instead of making a charge on the country, would show that the bill did not involve any expenditure. In the interest of the Bill it might be better to have some such clause incorporated in it.

Hon. Mr. ANGERS—I meant by my remark that I thought the hon. gentleman from Halifax was not exerting himself to improve the Bill.

The amendment was rejected.

Hon. Mr. MacINNES (Burlington), from the committee, reported the Bill with amendments, which were concurred in.

BILLS INTRODUCED.

Bill (86) "An Act respecting the Chilliwhack Railway Company." (Mr. MacInnes, Burlington.)

Bill (87) "An Act to incorporate the British Columbia Dock Company." Mr. McInnes, B.C.)

Bill (66) "An Act to incorporate the Grand Council of the Catholic Mutual Benefit Association of Canada." (Mr. Sullivan.)

Bill (49) "An Act to incorporate the Atlantic and Lake Superior Railway Company." (Mr. Ogilvie.)

Bill (24) "An Act further to amend the Supreme and Exchequer Courts Act." (Mr. Angers.)

The Senate adjourned at 5.50 P.M.

THE SENATE.

Ottawa, Wednesday, March 22nd, 1893.

THE SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

FORT GEORGE, NIAGARA.

MOTION.

Hon. Mr. LOUGHEED moved :—

That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will cause to be laid before this House, copies of all petitions to the Government, or any Department thereof, from the Canadian Institute, the Lundy's Lane Historical Society, the Mayor and residents of Niagara Falls and Niagara Town, with reference to the protection and preservation of Fort George (Niagara) and the grounds and buildings connected therewith.

He said :—I do not propose to make any remarks upon the notice of motion, but simply to ask the leader of this House for an answer thereto. I understand that a similar motion was brought up in the House of Commons and the Government promised to make some investigations in the matter.

Hon. Mr. BOWELL—There is no objection to bringing down the papers, but the matter is now under the consideration of the Militia Department, and provision is being made to put those forts in a sufficient state of repair to preserve them.

The motion was agreed to.

GENERAL INSPECTION ACT AMENDMENT BILL.

FIRST READING.

Hon. Mr. BOWELL introduced Bill (V) "An Act further to amend the General Inspection Act."

He said :—This is a short Bill and deals with the inspection of apples. An Act was passed last year which has proved to be impracticable. It could not be carried out, and at the request of the Fruit Growers' Association and those connected with the factories, it has been slightly amended.

The Bill was read the first time.

THE DISTRICT OF VANCOUVER VACANCY.

INQUIRY.

Hon. Mr. McINNES (B.C.)—Before the Orders of the Day are called I wish to remind the leader of the Government of a promise made by him one week ago yesterday, in answer to a question as to the issuing of a writ to fill the vacancy created by the death of Mr. Gordon, for the district of Vancouver. It no doubt has slipped his memory, and I should like to know now if it has been issued.

Hon. Mr. KAULBACH—Does my hon. friend intend to contest that constituency? Otherwise it is an unusual thing for members of this House to interest themselves in such matters.

Hon. Mr. McINNES (B.C.)—The other day when I asked the question, I stated it was a very unusual thing to make the inquiry here, but as it was a matter of public policy I consider it was not irregular. Inasmuch as we have only six representatives in the House of Commons from British Columbia, and all this session the very important district of Vancouver has been unrepresented, through the illness of the late member, I am anxious to know if a writ has been issued.

Hon. Mr. KAULBACH—No personal or private interests?

Hon. Mr. McINNES (B.C.)—That is a private matter of my own—not of the hon. gentleman from Lunenburg.

Hon. Mr. BOWELL—Probably I owe an apology to the House for not having answered the question before. The writ has not been issued, and even if it had been, the hon. gentleman knows well that, considering the extent of that territory, it would have been impossible to have had an election in time to enable the new representative, whoever he might be, to attend this session of Parliament.

THE SPEAKER OF THE SENATE BILL.

THIRD READING.

Hon. Mr. ANGERS moved the third reading of Bill (N), "An Act respecting the Speaker of the Senate."

Hon. Mr. DICKEY—Before the vote is taken, I wish to refer to a statement made by the hon. member from Barrie referring to myself, as to what took place in the year 1888. My hon. friend stated that in 1888, I had expressed the opinion that the House had the power of appointing a Deputy-Speaker till the Crown appointed another Speaker; that is, when there occurs a sudden vacancy in the Senate speakership. I should not have troubled the House with so small a matter, except that in the Debates which came to me these expressions are in italics, a very unusual thing in reporting the debates of the House, and therefore I presume it came from the hon. gentleman's manuscript which he read on that occasion, and which must have been underscored for my particular benefit. I entirely acquit my hon. friend of any intentional misrepresentation of my views on that occasion, but all the same he has unintentionally misrepresented me. I have before me the debate which occurred then, and all that I ventured to recommend to the House was stated by myself. I used the expressions "Deputy-Speaker" and "Deputy-Chairman" indiscriminately, but merely as a temporary matter, which will be explained by referring to what I said on that occasion. I said: "I am quite of the opinion that the House regularly, now in consequence of a legal adjournment, has the power as a constituent body of appointing one of its members to preside temporarily over its proceedings." Then I go on to speak of the use the word "Deputy-Speaker," speaking of the practice in the House of Lords appointing temporarily a Deputy-Speaker, which is a very strange thing. The expression merely conveyed by the observations was that I was in favour of this House assuming the power temporarily in an emergency, without any act as yet, of appointing a Deputy-Speaker in the same manner as was done in the House of Commons. In order to make it perfectly plain, I added: "I may venture to suggest if the House, instead of starting out upon an adventure of assuming new powers which possibly may be questioned hereafter, it would be just as well for us to follow the precedent which was adopted here in 1872." Assuming as I have already said that we have the inherent power, being regularly met here, of appointing a temporary chairman just as if the head of the House was struck down in harness in the performance of his duties, I think when they appoint a Deputy, not so much for the purpose of doing business as of adjourning the House until a future day; and on that occasion my hon. friend says there was a debate, as there was, and my hon. friend the senior member from Halifax, also made a suggestion that instead of taking the course which I proposed of doing this by universal consent, he proposed that a resolution be passed. Well we were all anxious to do what was right, and I at once said: "If that is the wish of the House I am willing to defer to it"; but my hon. friend from Barrie was present on that occasion, and he said "I am sorry to differ with my hon. friend the senior member for Halifax," and then he goes on to refer to that and he says "It is far better for us I think to follow precedent, although I quite agree that the inherent power exists in the Senate to meet any emergencies that may arise, although not distinctly provided for either in the rules or by the statute. The statute is very specific in regard to whom it appoints and how the Speaker of this House is appointed, and I think it would he safer to follow the course suggested by my hon. friend from Amherst." "The suggestion made in the written paper handed in by Hon. Mr. Dickey was then put and agreed to unanimously."

Now there is not a word in this in reference to this expression which I used, "Deputy-Speaker," only to illustrate that we might do temporarily what the House of Lords did, and the words "a temporary Chairman," which I also made use of, showed this: there is not a suggestion there that I ventured to advocate any power to be exercised by this House of venturing out upon a new line in appointing a Deputy-Speaker as had been done in the Commons by Statute. I hope, therefore, that I have explained that matter sufficiently to the satisfaction of the House. I think, while I am on my feet, I may as well state that I think the House is very greatly indebted to my hon. friend the member from Ottawa, from the course that he has taken in this matter, without any reference to party, but simply upon the merits of the Bill itself, and in doing so he has imparted to this House a great deal of valuable and most interesting information, and time is not wasted by referring to these stepping-stones in the history of this country. We are going back, as my hon. friend went back, to the year 1872, and there we find on that occasion the Governor-General took a very different view from the view that I took and that others took in regard to this, and he was of opinion that this Oaths Act, about which so much has been said, was perfectly *intra vires* and within the competency of this Parliament; and this is the way he finally put it:—

> My conclusions have been further fortified not only by the opinions of many legal authorities whom I have consulted, but more especially that of Mr. Todd, the author of "Parliamentary Government," etc.

What does Mr. Todd recommend? Mr. Todd gave a strong opinion that the House had power to pass the Bill. For what reasons? This is his opinion:—

> The Dominion Parliament were therefore clearly competent in my judgment to confer a similar power upon the Senate and the House of Commons, pursuant to the authority conveyed to that Parliament by the 91st clause of the British North America Act to make laws for the peace, order and good government of Canada.

Hon. Mr. KAULBACH—I do not want to interrupt my hon. friend, but will this lead to a general discussion? If so it will delay us very much. He is going into the whole principle, which I think is irregular, because we may spend a whole day discussing it.

Hon. Mr. DICKEY—My hon. friend knows perfectly well that I have a perfect right to discuss the principle of the Bill, but I shall not discuss the matter unduly. I have great respect for the feelings of the House as well as my own on that point; but that is the foundation of the opinion of Lord Dufferin, who transmitted that Bill; and he says here he has transmitted it with the other information to Sir John Macdonald, the leader of the House, and it reads in this way:—

> Your despatch, &c., with enclosures has been referred to the Law Officers of the Crown upon the report that the * * of the Oaths Act is *ultra vires*.

That report was made by Sir John Macdonald, and in that report he laid no stress whatever on the 91st section, but his opinion was founded upon the 18th section. With all those authorities Lord Kimberley sends a despatch to say substantially that the Bill is clearly *ultra vires;* so that it is quite clear according to those authorities, so far as the Colonial Office would make up their minds, that the 91st section did not apply, and in accordance with what they did, immediately after to disallow the Bill. It is quite clear they considered the 91st section did not apply to this. It is somewhat curious that the discussion in this Senate took place on the 28th April, 1873, and two days afterwards Sir John Macdonald's report in Council also took place; and it appears from that, that he had quite changed his mind. I do not know whether he was influenced at all by the discussion here, but Lord Dufferin says in his despatch that doubts seem to have been thrown upon it in Parliament, and after considering the matter fully, Sir John Macdonald gave his opinion, we had no power to pass the Bill. Under those circumstances, it was decided the Bill was *ultra vires.* I think it is very important that those matters should be brought forward, and that we should see that we are perfectly in line with the action of the Colonial Office and the Imperial Law Officers of the Crown. Subsequently the amended Act of 1875 was passed. I merely refer before I sit down to the curious fact that 20 years ago we were confronted in this discussion by the opinion of a librarian of Parliament on this question, and which turned out to be valueless, and we have now had thrust in on this debate a long opinion given by another official, the Clerk of the House of Commons, upon this question. With regard to his opinions I have nothing to say, except that I have very high respect for that gentleman as a literary man and a very successful importation from the East to this Parliament; but at the same time I am quite willing to leave the matter as it stands, with this assurance on my mind, that I think we need have no fear that the opinion of the clerk of the House of Commons will interfere with the passage of this Bill any more than the opinion of the librarian influenced the Parliament on the other side of the water twenty years ago.

Hon. Mr. GOWAN—I am very glad that my hon. friend has called my attention to this subject and enabled me to offer some explanation in respect to the matter. I had not intended to say anything on this subject, but merely to submit to the decision of the House on the third reading; and I do not propose to interfere by any attempt to offer amendments to the measure before us. When I referred to my hon. friend, it was merely in the course of reference to what had occurred in the House. I was endeavouring to show there was no precedent for the proposed action and only in a general way, without going into particulars. It was chiefly from my own personal recollection of what passed. I did not enter into that point as an argument. I can see no argument in it; and therefore I did not dwell upon that point. My hon. friend has referred to me apparently as taking the view that we had the inherent power. At the risk of troubling the House I will just read what I said and show that my remark had no relation whatever to the substantive power, and that all I contended for was that a deliberative body, such as ours, possessed, as any municipal council would possess, an inherent or implied power of dealing with a matter of this kind when under discussion. What I said was this:—

> If no one objects! You have objected, and I was going to point out to you what the precedents have been in the past. I have no doubt that the inherent power exists with the House to adjourn, but what was done in 1872 is the only precedent we have had since Confederation, and it would be safer to follow that, and that the House should adjourn by consent. A very serious question may arise in taking any course, and it would be far better for us, I think, to follow precedent; although I quite agree that the inherent power exists in the Senate to meet any emergency which may arise although not distinctly provided for either in the rules or by statute. The statute is very specific in regard to who has to appoint and how the speaker in this House is appointed, and I think it would be safer to follow the course suggested by my hon. friend opposite (Mr. Dickey).

So that I think I have vindicated my position and shown that it was not inconsistent with my attitude on this Bill. Whether I was consistent or not is of little moment. The question is, are my arguments sound, and I have nothing to convince me that this proposed meddling with an integral part of the Constitution at all comes within what has been termed "the higher sphere of power" under the general terms in sec. 91. Very far from it: I still think the Bill before the House bad and unconstitutional, root and branch.

I have a long personal acquaintance with the hon. member from Ottawa and I have a high respect for him and for his opinions, but it is quite evident that he spoke, building on the opinion of Mr. Todd given at a former time. While I have great respect for Mr. Todd's memory, I think the opinion of Mr. Bourinot is certainly quite equal to Mr. Todd's. I am sorry if I fail to any extent to bring out all that my hon. friend opposite said on a former occasion. It was not intentional. His arguments on this Bill did not strike me as very cogent, and I did not therefore dwell on them.

Hon. Mr. ALLAN—I do not propose to discuss the principle of the Bill. I only desire to say that I think the amendments which were made in committee have very much improved the Bill. At the same time, as I still have lingering doubts as to the constitutionality of the Bill, notwithstanding the additional arguments of the hon. member from Amherst, I, of course, to be consistent, cannot vote for the third reading. It may be, if we apply to the Imperial Parliament for legislation, we might be told that we already possess the power, but I confess that I so far differ from the Minister of Agriculture that I would rather run the risk of being snubbed for not doing all that I possibly had the power to do, than to be snubbed for doing what I really had not the right to do. At the same time no one would be better pleased than I shall be if it is established that we can legally make the changes proposed in this Bill, and so remedy the many serious inconveniences which have existed in the past and which are likely to arise again. I should rejoice very much indeed if the result of this legislation is upheld as coming within our rights, should widen still further the powers and privileges both of this House and of the Parliament of Canada.

The motion was agreed to on a division.

The Bill was read the third time and passed.

TRANSMISSION OF TIMBER DOWN STREAMS BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (S) "An Act further to amend the Act respecting Joint Stock Companies to construct works to facilitate the transmission of timber down rivers and streams."

Hon. Mr. VIDAL, from the Committee, reported the Bill with amendments which were concurred in.

The Bill was then read the third time and passed.

THORNBURY HARBOUR BILL.

SECOND READING.

Hon. Mr. McKINDSEY moved the second reading of Bill (26) "An Act relating to the Harbour of Thornbury, on Georgian Bay."

He said:—This is a Bill for the purpose of confirming an agreement made between the town of Thornbury and the township of Collingwood for the joint occupation and ownership of a harbour and certain warehouses at that harbour. There is nothing in the Bill except the confirmation of this agreement.

The Bill was read the second time.

CANADIAN PACIFIC RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. MacINNES (Burlington) moved the second reading of Bill (84) "An Act respecting the Canadian Pacific Railway Company."

He said:—The object of the Bill is to restore certain powers to this Company, of which they were deprived by the Act of 1885. The Bill of course will be fully discussed in committee.

Mon. Mr. KAULBACH—That information is not sufficient. What are the privileges which are to be restored?

Hon. Mr. SCOTT—Under the thirty-seventh section of the Canadian Pacific Railway Company's Act the company were authorized by Parliament, under their charter, to issue preference stock at the rate of $10,000 per mile. When the company were obliged to come to Parliament in 1885, owing to financial difficulties, they at that time had an issue of stock of $100,000,000. The Government in dictating terms directed that $35,000,000 of that stock should be cancelled and that the power given to that company under the thirty-seventh section of their Act should be held in abeyance. After the company repaid the debt with interest, it was natural that this clause should *ipso facto* be re-enacted. It had only been held in suspense during that time. Hon. gentlemen are aware that in the financial markets of the world brokers look very carefully when companies propose borrowing money, and a doubt arose in the minds of some eminent lawyers as to whether it was necessary to re-enact that clause. The object of the present Bill is to enable the company to issue the preference stock as provided in their charter, and the necessity for it is this, as hon. gentlemen are aware, the company from time to time are acquiring branches that are very heavily involved. They necessarily have to assume payment on the bonds of those roads that they take over, and therefore the company's position is in this way different from ordinary companies, that the mortgage debt is largely in excess of the liabilities of the shareholders. The natural conditions of corporations is that the principal portion of the debt should be borne by the shareholders, who are at the bottom of everything, and as a rule we restrict the mortgaging powers of all companies on the basis that if the owners or shareholders of the road propose to increase the financial standing of the company they should do it themselves. This Bill permits the shareholders, not by a vote of the majority as they were allowed under their charter to do, but by a two-third vote to confirm the proposition to take in partners at a preference. The shareholders, either by themselves or by inducing others to come in, may offer preference stock at a fixed rate of interest. It is a domestic matter purely and simply, which does not affect outsiders and which requires, before any action can be taken, the assent of two-thirds of the shareholders.

Hon. Mr. MACINNES (Burlington)—I think it is only proper for me to draw the attention of the House to the manner in which the printing is done. This Bill came up on Monday in the third reading form of the House of Commons, and for two days I have been endeavouring to get it from the Printing Bureau in the third reading form, but have not succeeded.

Hon. Mr. BOULTON—In the event of the company increasing the debenture stock to $25,000,000 or $30,000,000, or whatever it may be, does it entail a corresponding reduction of the mortgage indebtedness, or does the mortgage indebtedness remain still a liability as well as the increase of stock?

Hon. Mr. SCOTT—The special object of this Bill is to pay off mortgage liabilities that are bearing a higher rate of interest. The great object of investors now-a-days is to invest their money at long periods. The early mortgages on some of the lines of railway which now form part of the subsidiary system of the Canadian Pacific Railway fall due in about fifteen or twenty years from now. The rate of interest ten years ago was much higher than at present, and capitalists much prefer taking a lower rate of interest if the investment is a permanent one or if it is guaranteed stock, than a higher rate for a short term. A man would rather hold a perpetual three per cent than a four per cent terminating in three or four years.

Hon. Mr. BOULTON—What I wanted to know was whether that mortgage indebtedness would be cancelled?

Hon. Mr. SCOTT—Yes, the mortgages will be cancelled, and replaced by this issue of bonds.

The motion was agreed to and the Bill was read the second time.

CANNED GOODS ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (R) "An Act further to amend the Act respecting Canned Goods."

In the Committee, on the first section,

Hon. Mr. DICKEY—With regard to the name and address to appear on the package, I am not aware whether hon. gentlemen have noticed what has taken place with regard to the article of cheese in England within the last two or three days. The suggestion of the Home and Foreign Exchange, of London, England, is that there should be a specific mark of "Canadian" on our cheese so as to distinguish it from the foreign article, which is surreptitiously brought in and sold on the London market as Canadian cheese to the great detriment of our trade. The same remark might apply to fruit canned in this country. Would the name and address provide sufficiently for the goods being known as Canadian without being marked "Canadian." If the word "Canadian" were inserted, it would be sufficient: that is the opinion of the Home and Foreign Exchange who handle such goods on the other side of the water.

Hon. Mr. KAULBACH—The clause refers to packages of canned goods, does it mean every can, or simply the packages in which the cans are contained? If it simply applies to the package before being sold, I do not see any use of it, because the cans are all taken out of the packages before being sold, and it would be giving no intelligent information to purchasers. The cans should be labelled.

Hon. Mr. HOWLAN—Every can is a package.

Hon. Mr. KAULBACH—I think it should be specified that the cans are to be stamped.

Hon. Mr. BOWELL—My proposition is to adopt the suggestion made by the hon. member from St. John, and to add that the date of the canning be stamped also upon it.

Hon. Mr. PROWSE—I am opposed to this amendment. It will entail a very great expense on the packers without accomplishing any good result, inasmuch as any labels so prepared for the use of the packers will be valueless if not all used in the year they are dated. In lobster packing, some seasons the industry is almost a failure, because lobsters cannot be had; in such a season a large stock of labels would have to be carried over to the following year and would be useless if dated. In reference to canned goods, I do not care whether it is lobsters or fruit, so long as the contents are hermetically sealed, it does not matter when they were put up. As soon as the air is admitted, decomposition sets in, and that only happens when the acid eats away the tin and admits the air, but until that takes place the contents of the cans are as good as if they had been packed the day before.

Hon. Mr. McDONALD (P.E.I.)—I quite agree with the remark of the hon. gentleman from Prince Edward Island. It would be almost impossible for those who are engaged in the canning of lobsters or the packers of fish of any kind, indeed, to put date on the packages. When I speak of "packages," I presume it refers not only to the cases in which the lobsters are packed, but every individual can, and that the labels referred to must be on each one of those cans. It is difficult for a packer to put on each can the date when it was packed. It would impose on each lobster factory an expense of from $50 to $100 each season to put on the date alone.

Hon. Mr. POWER—Only the year is to be stamped.

Hon. Mr. McDONALD (P.E.I.)—Even then there is a good deal of difficulty about it. Persons engaged in the lobster packing business order their labels ahead. The lobster packing would be over about the 1st of July, but there are other articles besides lobsters packed, such as mackerel, cod-fish and hake, which would require to be labelled in this way, and there would be the same difficulty in every instance about the date. Respecting the other features of the Bill, there would be no difficulty in carrying them out, and they would be desirable.

Hon. Mr. KAULBACH—Could not the difficulty to which the hon. gentleman refers be obviated by having the labels printed in large quantities, and each year the date be stamped on those used?

Hon. Mr. ANGERS—There seems to be an objection to putting the year on each can because all the labels are not used in one season. I think that the year might be added by a separate label, or stamped on.

Hon. Mr. PROWSE—That means a very considerable tax on the packers. I speak particularly of the industry of lobster packing with which I am better acquainted than with others. It sometimes happens that we have only 25 or 30 days for the packing season. During that time in a successful season a factory will pack from 100,000 to 150,000 cans, and that many impressions would have to be made to put on the date. I do not see any use or benefit that the public can derive from it.

Hon. Mr. McINNES (B.C.)—Could it not be done afterwards?

Hon. Mr. PROWSE—It can be done, but I should like the hon. gentleman from New Westminster to go to some of the canning factories there and ask the people to put on the dates on every can and hear their reply. It would involve perhaps the expenditure of $100 per season for each factory. The handling of from 100,000 to 150,000 cans is no small job, If they are to be stamped after they are put away, it means that the whole of those cans must be moved again. Now, I have never heard any demand for this legislation. When parties purchase canned goods they examine say one can in every 10, or one package in every 10, and from these samples judge the average quality of the lot. They may find a bad can occasionally, but they approximate very closely the quality of goods to be sold. I do not see any benefit to be derived by imposing this tax on the canners. It appears to be the intention of the Government not to have this Bill go into operation during the coming spring packing season. The date is made the 1st of July. I would suggest that it be made the 15th of July, so that the lobster packing season may be over.

Hon. Mr. BOWELL—I have no objection to changing the date as suggested. The object of exempting all goods which are to be packed under this clause until the 1st of July, was to enable them to use any labels they may have on hand. If the hon. gentleman thinks that making this legislation operative in July would work harshly on the salmon or lobster canners, I have no objection to fixing a later date. I am still further impressed with the propriety of adding the word "Canadian" from what I saw a few years ago in Prince Edward Island when visiting the canning factories there. I saw them take the very best lobsters, curing them, canning them and putting Yankee labels on their packages. I asked the packer why he did so and I added "the time will soon come when you will be prevented from doing that." He answered that the factory belonged to Americans and that the goods sold better with "Boston" than with "Prince Edward Island" on them. I suppose that arose from the fact that the United States dealers had been in the habit of shipping the very best class of lobsters caught in our waters, thereby obtaining a character for United States lobsters which should belong to Canada. My hon. friend called my attention to a fraud which had been perpetrated in reference to cheese. My attention had already been directed to that, and I have before me now a draft of a Bill to meet the difficulty. Whether I shall be able to submit it during the present session I am not at the present moment prepared to say, but I must inform the House that some time ago that question of stamping in bond was brought to the attention of the Government when I was at the head of the Customs Department. I issued a very prompt and peremptory order that no change should take place in packages in bond for exportation or sale. The law allows the owners of goods in bond in this country to repack them for the purpose of preserving them, but there is no law to prevent them putting goods on the market as the product of a country other than that from which they came, and I was very much afraid from what I had heard that there was a good deal of looseness in that respect in some of our ports. I have not heard of it since. It is difficult to meet a case like this, supposing an inferior cheese has been manufactured in the State of New York, or the State of Maine, adjacent to our Eastern Townships, and marked "Canadian" in the United States and imported into Canada for the purpose of exportation in bond, simply passing through the country. How far would we have the power, under the bonding regulations, or our treaty obligations with the United States, to interfere with an article after it came into the country, not for consumption, but for exportation, that is a serious question, as hon. gentlemen will, upon a moment's reflection, see. That question is under consideration now. If we have the power, and it would not be an infringement of treaty rights, it is highly necessary that we shall prevent it, particularly in the article of cheese, for we know that along the borders and particularly down in Maine and Vermont States adjacent to our own country, they not only make an inferior skim-milk cheese, but manufacture a bogus kind of cheese out of fat, which is sent to England and very often sold as Canadian cheese, thus destroying the reputation of our cheese in the English market. The question has not been overlooked by the Government, and steps will be taken, as far as possible, to remedy the evil.

Hon. Mr. DEVER—The only way to obviate it would be to have an inspection in Canada of all cheese coming into Canada.

Hon. Mr. BOWELL—That is the point I called attention to, as to how far we would have the right to interfere with goods which are not ours passing through the country in bond—whether it would be an infringement of treaty rights.

Hon. Mr. READ (Quinté)—There is no doubt this matter requires a good deal of attention. It is well known in this House that we have a law on our Statute-book which prevents cheese being made in a factory except from the unskimmed milk; no cream can be taken from the milk, no strippings can be withheld, and no milk from a diseased cow used, and you can see the effect in England of enforcing these regulations in Canada. If a speculator there sells 10,000 boxes of cheese it is always described as Canadian cheese; they do not gamble in anything but Canadian cheese, because they know what the average quality is. United States cheese may be one quality or another, we cannot be too particular about preventing anything going through unless it is branded in some way or another to designate what it is. Buyers in England are always desirous of speculating in Canadian cheese, because they know that we only make it from the milk as it comes from the cow.

Hon. Mr. HOWLAN—The Bill under consideration is, in my judgment, perfectly right. Although the lobster season is over in July, some little illicit fishing is carried on later. The rule of the Department was that the case should be branded on the outside; now it is proposed that every package shall have stamped on it the date of packing, which I think is a very proper provision.

Hon. Mr. McINNES (B.C.)—I sympathize very largely with what has fallen from both hon. gentlemen from Prince Edward

Island who have objected to the Bill. As hon. gentlemen are aware, we probably do a larger canning business in British Columbia than in all the other provinces put together. especially in fish. I know that our canners get their labels manufactured in England; and those labels are so glossed that I fear a rubber stamp, or anything of that kind would not make a sufficient impression on them to retain the date for any length of time. That is the only difficulty I see in the way. If it were ordinary paper, and they could be stamped with an ordinary rubber stamp, I do not think that any particular hardship would be entailed on the canners, but I know they carry a very large stock from one year to another, and that a large portion of this stock would be practically useless under this legislation, because in the salmon canning business, as in the lobster business, and even in the fruit business, it is only about one year in four that we have a very large run of salmon, when the canning establishments are taxed to their full extent. Such a season is generally succeeded in the following year by a run not one-quarter as large. Then it gradually increases until the maximum run is attained three or four years afterwards. I must confess that I am in sympathy with what the hon. gentlemen from Prince Edward Island have said, and if the difficulty could be obviated in any way, I should be glad to see it done. I also quite agree with the hon. gentlemen that canned fruit, or fish, or meat, or anything that has been canned, is just as good half a dozen years after packing, as the very next year or next month, providing the atmosphere is entirely excluded from the contents of the can. Such being the case, I hope that the Government will not impose any unnecessary expense on those who are engaged in that very important industry in our province as well as on the Atlantic coast.

Hon. Mr. POWER—I think the hon. leader of the Government begins to see what very few of us saw at the beginning of the discussion, that the wisest course to take now in connection with this clause would be to pass it in the shape in which it appears in the printed Bill, with a single verbal alteration suggested by the hon. leader himself. We have heard from the representatives of two provinces, where canning is an important industry. The statements made by those hon. gentlemen would go to show that the insertion of the date might lead to inconvenience, and that there is really no necessity for it; and while at first I was myself, led to suppose that it would be advisable to have the year of canning stated on the package, I begin to think now that the advantages are really not sufficient to compensate for the drawbacks.

Hon. Mr. DEVER—It would not cost much to stamp the date somewhere on the can. A press could be used for that purpose. I am surprised that any one should desire to have such goods placed on the market in such a way as to leave a doubt as to whether they were sound or not.

Hon. Mr. KAULBACH—The labels that I have seen on canned goods cover the whole can. As my hon. friend from Quinté has digressed from the question before us, perhaps I might be allowed to follow his example. These things should be confined to the canning and not to the catching of fish for immediate use. I am in a peculiar position in the place where I reside. The season for catching lobsters ends in July, and we are not allowed to catch them during the long close season. It is supposed that this regulation is confined to canneries. I have protested against any lobsters coming into my house during the close season, but they are brought in surreptitiously, and I see them sometimes on the table. The fishermen sometimes catch half a dozen lobsters along the shore and bring them in to sell. If this regulation were confined to canneries and not applied to the fisherman who catches a few lobsters occasionally, it would be very much better.

Hon. Mr. SULLIVAN—Those who eat the canned goods deserve some consideration. I have very grave doubts as to whether canned goods, especially fish, are as good after a dozen years as they are when they are canned. Recent science has demonstrated that in these canned goods poisons are developed other than those of decomposition, and it is highly desirable, for the benefit of the public, that the date should be put on each can.

Hon. Mr. REESOR—We must judge these things by the years of experience that the people of this country have had. The hon. gentleman from Kingston has given the nail a tap on the head by saying that the people generally are interested in this matter, just as much as those who are engaged in canning. I know with reference to the canning of fruit, if it is thoroughly well canned it will stand for years. I have kept canned fruit seven or eight years, but it was put up in glass, and in such a way that it seemed to improve instead of deteriorating; but that is not the way the average canned fruit turns out in this country. There is generally so little experience and so much carelessness and imperfection in canning that you run a great deal more risk if you get canned goods two years old than if you get it in the first year. I believe the same principle applies in a great measure to canned fish. I will not say, however, that fish canned ever so well will necessarily improve as fruit will. Fruit improves if perfectly canned, but where is it possible to get fish so perfectly canned? I doubt very much if it can be done. I would prefer to use only canned goods that have been canned a short length of time. It is in the interest not only of the people at large but in the end, of those engaged in canning to adopt this legislation, because it will give their trade a greater reach and give to the public more confidence in canned goods and the prices the canners will realize in the end will be all the better. It will compel them to take the utmost pains in conducting their industry if they are obliged to give the date of the canning. Amongst seedsmen a great variety of seeds that are sold are not very good after the first year. Some may be good after being in stock two or three years, but not good four or five years. The invariable practice of the most experienced people in this matter is to take the old seeds with the new so that a certain portion of them germinate every year. We cannot do that in the same way in canning fish and meats of any kind. I think the Bill that the hon. Minister of Agriculture has introduced is one that ought to be passed and these checks upon giving out poor products should be put on for the benefit of the canners themselves, as well as of the public, just as it is for the benefit of the dairyman that he should be compelled by law to use only the best of milk and the whole of the milk for his cheese products. It is better for the dairymen and better for the public that it should be so; no other country will crowd us out so long as we employ vigilance in turning out our products. We need not be afraid of any competition.

Hon. Mr. SCOTT—I should be sorry if the proposed regulation were not adopted, I consider it an important point to have the date of packing stamped on each can. I quite agree with the hon. member from Kingston in what he has said. I do not propose to repeat his argument. I have had considerable experience in putting up fruit, though I have never put up any fish or meat, and I have found that the temperature has a great deal to do with the condition of the fruit. If kept at a moderate temperature, it will preserve its quality much longer than if kept in a high temperature. In buying canned goods I avoid all those that are placed in the shop windows. I fancy that sun light on the tin affects the fruit, particularly if the temperature is above what it ought to be. If you keep fruit at a low temperature, a degree or two above freezing and hermetically sealed, it will remain good a long time. I think the influence of the tin and of the solder on some classes of canned goods is very marked. If the contents are acid, of course they are affected by it much more, but the temperature is a very important consideration. If the year is stamped on the can we will know that it has not been subjected to those great variations of temperature that goods long canned are exposed to, and therefore, I think it is a very important matter that the date of packing should be on every can.

Hon. Mr. McINNES (B.C.)—I quite agree with the hon. gentleman from York and the hon. member for Kingston, when they say that the public, as well as the manufacturers, should be taken into consideration and I also agree with the hon. member from Kingston that decomposition takes place very readily when air is admitted; but I can speak from personal experience, having eaten canned meat nine years old, which was kept out in the province of British Columbia by the canners themselves. I was testing the goods, to see how long they would keep and retain their freshness. I quite agree with the hon. gentleman from Ottawa who states that the temperature has a great deal to do with the quality. It is true the canned salmon which I ate was kept in a temperature of about 50 degrees; and I contend that if you keep the cans dry, you prevent the tin corroding and the solder being displaced, and prevent the admission of air, and that under proper conditions you can keep canned goods, fish, fruit and meat for an indefinite period. I rose more particularly to answer the suggestion put by my hon. friend from St. John, and also by the Minister of Agriculture, that the stamp could be put on the tin and not on the label. I do not know how it is with lobsters, and canned fruits, but I know that the salmon cans are completely covered with those highly glossed labels. The most of them have a stamp with a machine that makes the lid. It is stamped and the only suggestion I would make is this, that in making the cans for a certain year they should put the stamp on the lid ; but it would be utterly impossible to stamp these glossed labels ; and I do not think the ordinary ink would remain on the tin itself.

Hon. Mr. ANGERS—It might just be impressed on the tin.

Hon. Mr. BOWELL—I wish to express my gratification at the spirit in which this measure has been received. It is a small Bill, but it is a very important matter to the consumer. I am more particularly impressed with that idea after hearing the remarks of my hon. friend from Kingston. The word "year" instead of date is an improvement, for the reasons suggested by the hon. member from Prince Edward Island. If you put the date on every day's catching, the labels would have to be re-dated ; if you put the year on instead of the date, the same stamp would do for the whole catch of a season.

Hon. Mr. DEVER—I never intended anything more than the year should be put on.

Hon. Mr. BOWELL—I have also accepted the suggestion of the hon. member from Murray Harbour, of putting 1st August instead of 1st July, and I accept the amendment of the hon. member from Amherst. I think these changes would make it—I was going to say—perfect, but my hon. friend from Halifax might take exception to the term, knowing that nothing is perfect in this world. I desire to call the attention of the Committee to this fact, that all labels are not printed in England, not even those in British Columbia, as I know from personal observation. There is a very large establishment in the city of Victoria, that has grown up under the influence of the National Policy, an establishment which makes a great deal of money out of the printing of these labels for the Dominion of Canada. They are printed by hundreds of thousands. I was in the establishment and saw the whole operation, and I also saw the same labels two or three hundred miles north of Victoria, last fall, when visiting some canneries. I am glad to know that these labels are of as good a quality as those which are imported. My hon. friend would be right if he said that a number of the packers formerly, before the establishment of these lithographic places in the country, used to ship the product of canneries to England without any label at all, and labelled them in the warehouses at Liverpool. They gave two reasons for doing so, one that they could get the labels cheaper, and the other that the label being put upon the can in the country in which they were to be sold would give a fresher and clearer appearance.

Hon. Mr. POWER—I was going to agree with the hon. Minister in thinking that this clause was nearly perfect, but I think that the insertion of the word Canada may possibly interfere with my opinion of it. The hon. gentleman stated a while ago, that a good many of our fish canneries put the fish up in cans which bore United States labels. I am aware that that is the practice, and I should like to state the reason why it is so ; I have friends who are engaged in the business of packing to whom I have spoken about this very matter, and I told them that I thought it was a great mistake, and unwise policy to allow United States labels to go upon the goods which they put up themselves; but the fact is that the American dealers are even more liberal and more satisfactory to deal with than dealers in the old country or in Canada, and a packer makes an arrangement with some United States dealers to let them have his whole season's packing, with the understanding that the packages are to bear the label of the foreign concern. I know that it is rather an objectionable thing, and I have taken that ground in talking with these gentlemen, but still I doubt the wisdom of our undertaking to hamper the business any more than is absolutely necessary.

Hon. Mr. KAULBACH—That would not be hampering the business.

Hon. Mr. DEVER—We should not be ashamed of our own goods.

Hon. Mr. BOULTON—If you tell the packer to put "Canada" on it, the packer himself will get whatever benefit there is from the quality of his goods, but if it is a United States label the foreigner gets the advantage.

Hon. Mr. REESOR—The same complaint was made when Canada first undertook the shipment of cheese to England. Canadian dealers thought they were at a disadvantage, because everybody knew United States cheese, and they asked for it, and it was difficult to sell Canadian cheese anything like as well as American cheese. The consequence was that many dealers there were obliged to sell their cheese as American cheese, or not make the necessary profit. Well, now things have changed and Canadian cheese commands a better price than American, because we have insisted that the universal practice in the manufacture of cheese in Canada shall be such as to produce the very best quality. A good deal of pains has been taken to have the makers thoroughly instructed and that they shall provide all appliances for the making of the best cheese that can be produced on this continent. Well, they have succeeded, and our cheese commands a price better than the United States cheese, and the Americans are only too anxious to work in their cheese and sell it as Canadian. Would it not be well for us to put "Canadian" on all our canned goods and build up a trade for ourselves?

Hon. Mr. PROWSE—I do not object to the suggestion made by the leader of the Government, changing the word from date to year, which is not a very important matter. The oldest packers are very often asked by their correspondents in the old country to send them cans of lobsters without any label at all, and to allow them to put the label on over there. It is impossible to prevent them doing so. The consequence will be that if we put the year on and the goods are held over by the middleman to make his profit, the label will be taken off and the date changed to the following year.

Hon. Mr. OGILVIE—Perfectly right.

The clause was adopted.

On the last clause.

Hon. Mr. POWER—There was some question raised as to the quality of the goods; it occurred to me as a desirable thing that something should be inserted in the Act which provides, if a label is put on misrepresenting the quality of the goods, that the person who puts it on shall be liable to a penalty. I refer to the Revised Statutes of Canada, chapter 105, sec. 3, and also sec. 4, which provides that any person who places on any package, any brand or mark which falsely represents the date when the article is packed, is liable to a penalty. It seems to me in the 2nd section we might insert before the word "quality," "which falsely represents the quantity or quality or weight." It would be an additional guarantee that the people were getting a new article and not an old one bearing a false label.

Hon. Mr. BOWELL—Is not that already provided for in the clause? This Bill is simply an amendment of subsection 1 of section 2 of the Act respecting Canned Goods, chapter 105 of the Revised Statutes, the one to which the hon. gentleman has referred. It simply substitutes this section for subsection 1 of section 2 of that Act. All the penalties provided in that Act remain in force, and they are applicable to this.

Hon. Mr. POWER—There is no penalty in the Act now for selling goods not of the quality represented.

Hon. Mr. BOWELL—This Bill compelling the packer to put the name of the manufacturer on it and the date of its packing is sufficient guarantee. He would not put an inferior article or another article in it, or less weight, because if he did he would ruin the reputation of his canning factory, and that is the very reason why the canning industry of this country has suggested this amendment, because inferior goods have in the past been put into cans, the agent who sold them simply having his own name put on them. The effect is to ruin the trade generally, and the packers suggest, in order to prevent the practice, that their own name and the name of the factory, should be placed on each package; then if the canned goods were of an inferior quality only the factory where they were packed would be injured.

Hon. Mr. DICKEY—The hon. Minister might take the matter into consideration before the third reading to-morrow.

Hon. Mr. BOWELL—It is a very good suggestion.

Hon. Mr. POWER—If all packers were long-sighted, the argument would be sound, but they are not. I know many cases where people pack inferior fish and other articles, and put their own names on the packages.

Hon. Mr. REESOR—To a great extent it incurs its own penalty.

Hon. Mr. DESJARDINS, from the Committee, reported the Bill with certain amendments, which were concurred in.

SECOND READINGS.

Bill (77) "An Act further to amend the Act to enable the City of Winnipeg to utilize the Assiniboine water power." (Mr. Lougheed.)

Bill (86) "An Act respecting the Chilliwack Railway Company." (Mr. MacInnes, Burlington.)

Bill (66) "An Act to incorporate the Grand Council of the Catholic Mutual Benefit Association of Canada."—(Mr. Sullivan.)

Bill (49) "An Act to incorporate the Atlantic and Lake Superior Railway Company."—(Mr. MacInnes, Burlington.)

BRITISH COLUMBIA DOCK COMPANY'S BILL.

SECOND READING.

Hon. Mr. McINNES (B.C.) moved the second reading of Bill (87) "An Act to incorporate the British Columbia Dock Company." He said:—This is an exact copy of a Bill passed in this House three years ago and which lapsed recently. I took exception to clauses eleven and twelve of the Bill passed three years ago, which clauses I see are reproduced in this Bill. On that occasion I moved an amendment to them which was not accepted by the House. As I have no reason to believe that such an amendment would prevail at the present time, I shall not occupy the time of the House in submitting the amendment again.

The motion was agreed to and the Bill was read the second time.

SUPREME COURT ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. PELLETIER moved the second reading of Bill (24) "An Act further to amend the Supreme and Exchequer Courts Act." He said:—When this Bill was introduced here the leader of the House was evidently under the impression that it was a Government Bill and took charge of it. However, it was introduced in the other House by a private member with the approval of the Minister of Justice. The object of the Bill is to amend clause *b* of the 29th section of the Supreme and Exchequer Courts Act, referring to cases in which an appeal lies from a judgment rendered in the province of Quebec. Some difficulty has arisen over the interpretation of the clause, and in the opinion of the Minister of Justice this amendment is necessary.

The motion was agreed to and the Bill was read the second time.

The Senate adjourned at 5.40 p.m.

THE SENATE.

Ottawa, Thursday, March 23rd, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayer and routine proceedings.

MONCTON AND PRINCE EDWARD ISLAND RAILWAY AND FERRY COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (56) "An Act to revive and amend the Act to incorporate the Moncton and Prince Edward Island Railway and Ferry Company," with amendments. He said:—This Act is to revive and amend the Act of incorporation and to provide for an extension of time for the commencement and completion of the work. The words "for the commencement and undertaking" have been omitted from the Bill, and ought to be inserted to give the company the benefit of the two years extension. The words "the commencement and undertaking" have been introduced: I see no objection to the first amendment. The next amendment is in the third clause, which provides for the securing of the debentures, and after the amount is stated the remainder of the clause proposes to define particularly the manner in which these debentures shall be secured, but as that has already been provided for by a prior Act, as well as the tolls on the ferry, a special Act is not required: and it is proposed to strike out all after the word "dollars" to the end of the clause; so that the Railway Act will apply and carry out in a uniform manner the securing of those bonds and debentures, and also provide for the regulation of the tolls. I apprehend there is no objection to this amendment and I see no reason why it should not be concurred in.

Hon. Mr. POIRIER moved that the amendments be concurred in.

The motion was agreed to and the Bill was then read the third time and passed.

THIRD READING.

Bill (63) "An Act respecting the Canadian Power Company." (Mr. McKindsey, in the absence of Mr. Ferguson).

WITNESSES AND EVIDENCE BILL.

IN COMMITTEE.

The House resolved itself itself into a Committee of the Whole on Bill (23) "An Act respecting Witnesses and Evidence."

(In the Committee)

Hon. Mr. ANGERS—When I moved the second reading of this Bill I explained the principles that were involved in it, and it was agreed then that the Bill should be discussed, when in Committee of the Whole, as if the principle of the measure had not been sanctioned by the House at the second reading. I have a few remarks to make now, but I shall wait to be enlightened by the discussion which is about to take place.

Hon. Mr. GOWAN—This is the second time upon which a Bill of this kind came to us from the House of Commons involving in the main principle contained in this Bill. In 1885, when the Bill came to us from the House of Commons it was lost, several gentlemen who are now present, myself amongst the number, voting and speaking against it. Members, not unnaturally, I think, desire to adhere if possible to their deliberate utterances upon other occasions; but in my opinion it sometimes becomes a duty to cease opposition, and I will endeavour to show that that duty is a right, proper and justifiable one. Let it be remembered that the English Constitution and ours are essentially different from the Constitution of the United States, in this that ours is an elastic Constitution and not one of a cast iron character like that of the United States—that any Government in our country not in accordance with the well understood wishes of the people as expressed and enunciated by its representatives can be displaced in a day. That the Upper House here and in England serves the purpose of a delaying and revising body and gives an opportunity for the sober second thoughts of the people. It is in its essence very similar to our own. It becomes us not to depart from the recognized, if unwritten principles, which lie at the very root of parliamentary government at home and here. I think no gentleman who has studied constitutional questions will deny that they are the very bulwark of our rights and the very essence of our parliamentary system. The well understood wishes of the people properly and persistently expressed must ever ultimately prevail. In England there is a means of bringing the Upper House into unison with the well understood and often expressed wishes of the people there. Here under the terms of our written Constitution there is absolutely none, and therefore the greater obligation upon us not to ignore the principle of action by which our great prototype, the House of Lords, regulates the persistence of their opposition. Bagehot who, as every one knows, is an excellent authority, defines the position of the House of Lords under the English constitutional system in these words:—

> Since the Reform Act the House of Lords has become a revising and suspending House. Their vote is a sort of hypothetical vote. They say we reject your Bill this once or these twice or even

thrice but if you keep on sending it up at last we won't reject it.

As Freeman tersely puts it, "up to a point not easily defined the Lords, may go on rejecting a Bill. Beyond that point they must not go."

Now let me apply this to the matter in hand. Three Bills from the House of Commons similar to the one before us were brought up. One was voted down by a majority of 87 to 63. Another was dealt with in a similar manner by a majority of 80 to 57. A third Bill passed the House of Commons by 87 against 55 only, but it was thrown out in this Senate. I then made up my mind, I must say, that if it came up again this House could not properly vote against it and that I at all events would bow to the popular will expressed by the representatives of the people. It has come before us again, and comes under very different auspices. It is not merely the vote of the House of Commons—I am not aware whether there was any test vote taken against it—but it comes under the auspices of the Government. Doubtless they were convinced of the current of public opinion and so changed the views that might have prevailed in the past. At all events it comes twice from the House of Commons, and the last time under the auspices of the Government of the country. Therefore, as the Bill now before us in so far as it embodies the principle of the Bill of 1885, that I think was promoted by my hon. friend the Senate member from Halifax—in so far therefore as it embodies the principle of that Bill, I think we would be acting not merely in violation of the well understood principles that prevail in England but in a way that may bring disaster upon this House itself. There is another aspect of this matter. Those who noted the decided drift of public opinion both here and in England must have seen the strong current that has set in in favour of a measure of this kind. In England any one can plainly see for himself if he will only refer to the *Hansard* and the voluminous reports that appear of the debates that occurred, Vol. 324. The general consensus of many of the leading and most influential and ablest lawyers in England was in favour of the principle and in favour of the measure itself, and so far as I could recollect from the discussion, the main cause of its rejection was that it applied to Ireland, and on that account it was ultimately rejected. At all events strong feelings which prevailed amongst the best of the Irish members was largely influential in causing its rejection. I do not propose to give any rehash of the arguments which were advanced on both sides of the Bill and which any one possessed of a little memory could easily do. I will confine myself to a few observations as to its working in this country and in other respects shall follow the course pursued by my hon. friend and legal leader, if I may so call the Minister of Agriculture. I think I can show that there is the highest possibility of the safe and efficient working of the measure in all the great provinces of Canada. I have little doubt that it will work well elsewhere, but I can speak of my own knowledge and I think I shall be able to point out some peculiar features in our system which will render its working satisfactory. I have no doubt in my own mind that the judges generally will do all that is possible to secure an efficient and fair working of this measure and speak from personal knowledge—for I am acquainted with nearly every judge in my own great province—I am perfectly persuaded that one and all will lend, as will be their duty, their assistance to a fair working of this measure. I am satisfied that the judges generally who preside on trials for crimes will see that the law is not worked as an instrument of torture or for the purpose of worrying or entrapping a timid witness.

Hon. Mr. SCOTT—Please explain how a judge can interfere, if the prisoner is a compellable witness? The prisoner is then in the hands of the Counsel and so long as the questions are correct and proper he cannot interfere.

Hon. Mr. GOWAN—If my hon. friend would kindly wait until I have closed, I would be glad to answer any questions.

Hon. Mr. SCOTT—The hon. gentleman is laying down a positive statement which the House is supposed to accept. There is no power in the Act which would enable the judge to interfere. The moment he is a witness he is in the possession of the Counsel.

Hon. Mr. GOWAN—If my hon. friend had waited I would have told him that I was not going to accept that view which would make a prisoner a compellable witness.

Hon. Mr. SCOTT—The hon. gentleman is arguing the other way.

Hon. Mr. GOWAN—But the main principle of the Bill that was formerly before us did not make the witness a compellable witness. I was saying that I did not think the judges of this country would allow the letter of this Bill, making a prisoner a competent witness to be abused; and I speak with confidence for Ontario. Moreover, there is a peculiarly favourable feature in administration with us that probably three-fourths of all the criminal cases that come into the courts are disposed of by a single judge acting alone. He it is who determines the guilt or innocence of the party. Lest my estimate of the number coming before the tribunals might be questioned or supposed to be exaggerated, I take the liberty of referring to a report which I sent a good many years ago to the Hon. Mr. Blake when he was Minister of Justice. Firstly, I will explain to hon. gentlemen that the local judges of Ontario are judges of five distinct tribunals. A court has been created which is termed the County Judge's Criminal Court, and was specially designed for the purpose of trying prisoners who are willing to be tried without a jury. In 1876, I presented a calculation to the hon. Mr. Blake showing that in at least four-fifths of all the cases of crime that came before the local judges the prisoners accepted their jurisdiction and wished to be tried without a jury. I am not aware how that law is carried out in other parts of the country. With us the following is the process; the local judges in Ontario have practically a jurisdiction over nearly every case known to the law except capital felony; and the practice is that when a prisoner is committed for trial the sheriff at once reports to the judge; he appoints a time to hear the matter; the prisoner is brought up, and he is asked in the first place whether he is willing to be tried by a judge and without a jury; if he consents to be tried by a judge without a jury a day is appointed for the trial and the witnesses brought forth, and the judge hears the matter. I am quite sure that no counsel for the Crown, appearing before a judge who is acting as a jury as well as a judge, however anxious that counsel might be to secure conviction, no counsel would talk in a manner that possibly he might before a jury; and I think it adds to the safe working of the law, both the law that affects the question and the power to decide the facts are resident in the same person. I think that is an additional feature in favor of the proper working of the Bill, should it become law; and one cannot help as a general rule agreeing with the saying "Whatever is best administered is best" and a large share of the power, the influence and the benefit of the law depends upon proper administration. Erskine, the greatest of England's advocates, speaking of criminal trials, once said that from the moment an advocate refuses to defend a prisoner in court where he daily sits to practice from that moment the liberties of England are at an end. If an advocate refuses to defend because of what he may think of the prosecution or the defence, he assumes the office of judge, nay he assumes it before the hour of trial, and in proportion to his rank and reputation throws his opinion—which may be a mistaken opinion—into the scale against the accused, in whose favour the benevolent principles of the English law have made all exceptions. The words of that great advocate in the main embody a leading truth, and my fullest hopes are for the beneficial effects of this principle in a wise administration of the benevolent principles of the British law which make all exceptions in favour of the accused. I was much struck with a case that my hon. friend and leader mentioned as having actually occurred before him. It brought to my mind another case of a similar character, a capital felony, a charge of murder, which was tried before me many years ago in Cayuga. Two men were drinking together in an hotel; they quarreled, they fought there, and it was seen that one of them had a knife in his possession. After remaining some time in the house both went out, the landlord taking care to send one out at the front door and the other at the back. The season was winter; the ground was slippery; and within 20 minutes after both men went out, one was found stabbed to the heart. The evidence of course showed a great many collateral facts and such as I need not refer to, bad feelings between the two men, and so on, but what a substantial point was the evidence, the possession of this knife shortly before the man that was killed went out, coupled with the evidence of their not being good friends. After hearing the evidence I charged hypothetically suggesting many grounds that would, if they were found as facts by a jury be fair evidence either going to show innocence or reducing the crime from murder to manslaughter and under some circumstances opening the ground for positive acquittal. Unfortunately the examination made by the medical men was very imperfect and the course of the wound, whether downward or straightforward or underneath, was not made clear. There was no clear evidence upon that. But after charging the jury, within fifteen minutes, it is disgraceful to say within fifteen minutes (notwithstanding the eloquent speeches which came from both sides and notwithstanding a long charge by the judge) within fifteen minutes the jury brought in the verdict of capital felony, murder. It was shocking in every sense—shocking to me and yet under the law in existence I was obliged to perform the duty of passing the sentence of death upon this man. Of course, I corresponded with the Government and the matter was set right ; but it occurred to me when my hon. friend was speaking, it occurred to me as a pregnant argument in favour of enabling a man to speak on his own behalf, his truthfulness tested by the accounts which he gave an intelligent judge or an intelligent jury to pass upon it, giving due weight to what he said, and if he gave his evidence in a way not to commend itself to the judge or the jury, they could reject it, in fact the right to testify it is altogether in favour of the innocent man. As to the guilty man it does not matter whether it is in his favour or not. Now, that case came to my mind when my hon. friend was speaking, and it struck me as validating, in a large measure, what he has said and showing a case in which it would have been a very great advantage to have the prisoner's own account of what happened. He might have been able to explain, for example, that the man was tampering with the knife, and in rushing at him fell or might have given some account that would throw light upon the subject and enable the matter to be better put and more thoroughly understood. I must add for the credit of the country that I was told afterwards that it was a case in which party feelings had caused all the difficulty. A few years ago a case came into my mind of another character, but still of a very serious character, or what might have been very serious, which occurred in Ireland and the facts are shortly these. A gentleman who was not a resident in the country was spending a few days at a place a short distance out of Dublin. His host accompanied him to the gate and the station was only a short distance away. I forgot to say that this gentleman had been reading "Epidemics of crime through the country," crimes of a particular kind well known and which followed one after the other, and just at this time there was an epidemic of charges by women for the purpose of levying black-mail upon men accusing them, falsely as it came out in many cases of violence charged and and especially on board the cars. The English cars are not constructed like ours ; there are several compartments and sometimes a man may find himself alone with another person inside these cars. He had just arrived at the cars, had merely time to jump on board, and when the guard had shut the door he found a rather flashily dressed woman alone with him. He was strongly impressed with all he had been reading in the newspapers ; he thought to himself what a position I am in, and he did not know what to do to guard himself. He first thought of writing down something and saw that would not do. Suddenly an idea flashed upon him, he reached as far as he could out of the window with his umbrella (and everybody carried an umbrella) he kept opening and shutting his umbrella as fast as he could. Everybody in the other cars saw him and at the next station they stopped. The guard said "what is wrong ?" The gentleman turned round and looked to the person on board and so explained the trouble and he took a seat in another compartment. Now, this gentleman had appeared a great deal in society and if he was able to get off in some way, or if he succumbed and paid blackmail he might have got off but the very feeling that such a charge could be made against him filled him with horror and dread. Fortunately, he took steps to furnish evidence that he could not possibly have interfered with this woman, by opening and shutting his umbrella during the whole time. The moral of that story is, when a man travels in an English coach never be without an umbrella. In the case to which I have referred, if that gentleman had been charged with any attempt to do what was wrong towards this woman and been allowed to go into the witness box, he could have given his own version of it, as it now was, many passengers saw the umbrella and he was safe. It seems a laughable thing to repeat it here, but the cold sweat was on his brow when he thought that be could not guard himself by going into a witness box. I may have something to say in Committee upon some portions of this Bill, but on the main motion, that which allows permissive evidence, I must vote for the Bill for the reason I have given. With regard to compelling a man to appear to give evidence against his wife, or the wife to give evidence against her husband, I have had anxious thought about it and I discussed it repeatedly with many members of the House in order to add to the little light I possess on the subject myself, I most strongly hesitate. There might be danger in the course and it might be calculated to ruin the peace of families and to lead to perjury. I shall, therefore, unless I hear something convincing to the contrary, vote against that part of the clause. I cannot accept it. Then, there are some details with regard to making statutes and public instruments proof which will possibly require some little addition. They may be allowed to stand on their merits as they are. Possibly it might be more complete if some additions were made, but I am most anxious myself, on every ground to see this measure with regard to witnesses passed through this House, because I see here an answer to an objection which has often been made that a prisoner cannot give his own account of an affair. Moreover it is a necessary complement to the Criminal Code, and I know as a fact that the greatest of English jurists has stated that we are entitled to the highest credit for passing it—that it was an achievement almost, if not quite unique for the English-speaking people all over the world. I am obliged to the House for listening to me so patiently, and I hope I have succeeded in showing that I am justified from my own point of view, in voting for this Bill. I believe that the will of the people, properly expressed through their representatives, should be respected, and now is the time, having twice passed through the Lower House, to vote the measure.

Hon. Mr. SCOTT—This Bill contains very many excellent features. It is one which, I think, the House will generally support, except in one particular, and that really is the one debatable point in the whole of the Bill—the power to force a prisoner into the box and be a witness against himself. It is doing violence to all our traditions of the administration of the criminal law. It has so many repugnant features about it that I confess it is rather shocking to one's nature that it should be proposed in a British Parliament. In the administration of justice in our criminal law, we are, I think, generally in advance of the rest of the world, even of the mother country. I think our system is now brought down to as perfect a state as the experience of the age will allow. I know of no country where trials are fairer, where so large a proportion of those who are really guilty are convicted, and where the accused has in every degree so fair and just a trial. There is no country on either side of the Atlantic where the criminal laws are so well administered, and where justice is so thoroughly and so fairly meted out as in Canada. We are in advance in every direction. We have gone further in reference to this question of evidence than most countries. If we accept the first proposition in this Bill—that is to allow a party charged to be a witness —then we are abreast of every country in the world. I am not aware at this moment that any country has adopted the principle of compelling an accused person to be a witness.

Hon. Mr. MILLER—In high crimes.

Hon. Mr. SCOTT—I am not speaking of assaults, of course, but I am not aware that in any country that principle has been accepted in criminal cases. I am quite sure that no body of British jurists would listen to such a proposition. It would take many years to educate the people of the British Islands to believe that the proposition is a sound one. In the the early days, down to I think 1688, it was the custom in England, as it is now the custom in France, to catechise the prisoner, not under oath, but to categorically put questions to him; and as hon. gentlemen know it was about that era that what is known as the Star Chamber was in existence. Its proceedings were private and its methods became very repugnant to the principles of liberty advocated by the Anglo-Saxon race, and so it was swept away and that principle of examining the accused was swept away with it. The principle was then accepted and adopted that every man should be adjudged innocent until proved guilty, and that no man should be asked to accuse himself. So it stood for nearly 150 years. Since then when an accused person has been brought before a magistrate in the first instance what has been the system? The prisoner is cautioned. He is told: You are not obliged to answer the question; if you do answer the question your statement will be taken down and it may be used on your trial. He is fully warned in advance. That has been the governing principle with reference to parties accused. So far has that been carried that any one who has had experience in courts of justice knows how exceedingly cautious judges have been when active and skilled detectives have made arrests and have wormed out of the party accused a half confession or admission of certain facts that go to forge a chain of evidence against him. Many judges have simply ruled out such evidence and have said we will not allow such testimony as this. We know how weak many minds are and how easily influenced under exciting influences, and it is not a safe rule to lay down that admissions under such circumstances should be admitted as evidence against a prisoner, and so the testimony obtained by detectives has almost always been ruled out by judges, as not being safe and as likely to lead to serious and dangerous consequences. That rule has been carried too far, and within the last four or five years our judges have been disposed, where statements have been made by accused persons voluntarily, to permit that kind of evidence to go on record. Many judges hesitate even to do that. In my own experience some judges, in recent important trials, if the admissions have not been wormed from the accused, or he has not been catechised, have allowed those statements to be used on the trial. That is about as far as we have gone, and that is the present condition of affairs. We have been in the habit of following the precedents of Great Britain. Their population is seven or eight times greater than ours. They have, of course, the ablest jurists in the world, and it has been exceedingly safe to follow the lines that they have laid down. They have had the question up repeatedly, but it has never even made the progress of allowing accused persons to be competent witnesses except in special cases. In 1885, a considerable innovation was made. It was enacted that in certain classes of crimes it was only fair to the accused to allow him to be sworn as a witness—that is if he wishes it himself—in cases of criminal assault—cases where blackmail was very likely to be levied and has been, no doubt, in the past. A Bill was passed in 1885, known as the Criminal Law Amendment Act, which provides that every person charged with an offence, and the husband and wife, shall be a competent but not compellable witness. This relates chiefly to the defilement of women and girls. That is the extent to which the English jurists were prepared to go so late as 1885. The next change was made in 1889, when the question again came up in Parliament as to how far in other cases the accused should be a competent witness. In no case was there any thought of the proposition that an accused person should be a compellable witness. In cases relating to minors and the care of children, admissions by the accused were allowed. That is the extent to which the law has gone in England, so if we were in this Bill to limit it to that extent—that every person charged with an offence shall be a competent witness—it would be far in advance of the code existing in any other civilized country. I am aware that in many states of the Union, in some of the western states more particularly, that law has now been adopted—that is that the accused is competent to go into the box. If he goes into the box and is sworn, then of course he is subject to cross examination. All the advantages of making him a compellable witness are attained. It is argued that on a charge if an accused person declines to avail himself of his right to give testimony, a strong feeling arises in the minds of the jury that he cannot give an explanation, and it no doubt affects prejudicially the party charged, and very properly so, but that is the extent to which it goes. So cautious are our legislators in adhering to the principle that a person ought not to be prejudiced by his abstaining from being sworn, that neither the counsel nor the judge can comment upon that fact in addressing the jury—the judge and the counsel for the Crown must abstain from making any observations on the fact that the accused might, if he so pleased, be sworn and give an explanation of the facts. It shows how exceedingly cautious and how tenacious of well established personal rights the British system has been, and I should regret exceedingly if we made this leap in the dark without having had some experience of how it is going to work, because it seems to be a very dangerous act to adopt a precedent of that kind in advance of the rest of the world. I am not aware that our Canadian judges have expressed any positive opinion on the subject. They may have done so, but if they have it has not come under my own observation. Hon. gentlemen are aware that it has been found in civil cases useful in the administration of justice that the plaintiff and defendant should both be sworn—the plaintiff can put the defendant in the box and the defendant put the plaintiff in the box. The system has worked exceedingly well, but I do not see the analogy between that and what is proposed here. The cases arising in the civil courts are generally contracts and accounts between parties, and it is quite reasonable and proper that the parties to such cases should be examined and forced to give an explanation of what they thought at the time the agreement was signed. It seems natural and proper and has been a very great success, but the parallel ceases when you come to propose that a party accused, as between the Crown and the accused, should be compelled to go into the box and be sworn. My own experience leads me to the conclusion that the temperament of prisoners is so vastly different that it would not be safe. Take a guilty man who is a professional burglar, a criminal by profession —who has been years and years at it: he is a cool, deliberate man. He goes into the box and is sworn. He weaves a very ingenious tale. Possibly the evidence against him may be circumstantial, and his tale fits in with the circumstantial evidence. We know that juries are very apt to believe such testimony and would acquit him. Take, on the other hand an innocent man, of nervous and excitable temperament. He is sworn and he loses his head at once, as the best of us will under keen cross examination. It has been said that many a man will tie a rope around his neck by having a poor tongue. How often have you seen men lose a case because they were so excited in the witness box under cross examination that they got worried and lost their heads. Women have often been known to faint under cross examination, and, as we know, beg to be allowed to rest when under a very severe cross examination. What condition might not an innocent man of nervous temperament find himself in when attempting to give an explanation of certain circumstances! He fails in satisfying the judge and jury, and he may be convicted, because he has not steadiness—he is too nervous and excitable and he cannot tell a straight story in the box. We all know how dangerous it is to put some men on the stand. Some men are bad witnesses, not from any disposition to evade the truth, but from nervousness. They may, in fact, be over scrupulous sometimes. I gave known men who, simply from an anxious desire to tell the truth, have failed to give a real statement of the facts. I do not consider that there is any analogy between the case of a plaintiff and defendant, as sworn in a civil cause, and of an accused person being sworn. Suppose a man does go into the box, and he perjures himself, what are you going to do with him? Are you going to try him for the perjury? If you do, is he to be allowed to make an explanation of his perjury? See where that lands us. It is sure to be perjury, and where the party is a hardened criminal, and it may not be a capital offence —burglary, larceny, or some other crime— there is an inducement to commit perjury. If he is compelled to be sworn, and he knows that he has either to perjure or to criminate himself, one or the other, a hardened criminal will perjure himself. Then, what are you going to do with him? Under this Bill he would be a witness over again. Is he going to stick to his perjured testimony, or criminate himself? I would go so far as to adopt the principle of making an accused person a competent witness. In France the judge examines the accused. That has been made the subject of very sharp criticism by English jurists. The witness is not sworn, however. In early times when they wanted to make a man tell the truth, they had an iron rack on which they stretched him, and as his tendons were stretched he was asked to admit certain things. If he refused, the stretching was continued until he would rather tell a falsehood than suffer any more pain.

Hon. Mr. MASSON—And if he did not make any admission, the fact went against him.

Hon. Mr. SCOTT—I will read an extract from the latest work on the subject, the *Law Quarterly Review*, vol. 8, published in 1892. An English jurist witnessed an examination of a man charged with murder, and this is the way he describes it:—

> The impartiality of the president seems to me an absolute farce. It is agreed on all hands that

the president ought to be impartial, and no one dares to assert that in reality he is not. The following dialogue is a fair specimen of what regularly takes place at every session of the Assize Court. When the president has gone too far—and Heaven alone knows what constitutes going too far!—the council for the defence objects. Thereupon the president sits up in his chair, adjusts his pince-nez, and scornfully replies. "I suppose Maitre So and So, you don't doubt the impartiality of the president?" Counsel hastens to protest that such an idea never entered his head; and the president triumphs, naturally. Were the barrister to make any further objection he knows only too well the penalty—withdrawal of his right to address the court, supension from his functions, and not improbably a prosecution for insulting the magistracy. It is the old story of the man brandishing a big stick in the face of his child and exclaming, "If you don't say I'm the best of fathers I'll whip you within an inch of you life....And now, what do you think of me?"

The usual line of the president's examination of the prisoner (known as the 'interrogatoire') consists simply in a series of statements much in the following manner:—

President.—On the 27th March you returned home late at night?

Prisoner.—It's false! I never went home on that night.

President.—Silence! Don't add to your crimes by fresh lies. I say you went home, &c.

Frequently the president takes no notice whatever of the prisoner's replies, but pursues his course of statements with unruffled composure. At the close of this examination—which is a matter with which the judge and prisoner are solely concerned, without any intervention of counsel, and which in the case of a clever prisoner, fighting with more energy and hope of success than most of them display, frequently resolves itself into a very sharp intellectual tussle—comes the examination of the witnesses.

I simply quote this as showing the views of English jurists on the subject of the examination of a prisoner, although not under oath. There are probably some hon. gentlemen who are in favour of the Bill. I should like to hear some arguments in favour of the principle rather than against it. While I should bow with very great respect to the opinions of the judges, if they have expressed any, still I think we ought to take the experience of the English jurists rather than hastily adopt what is an innovation. The subject has not been discussed in the press of this country; it has not been discussed in the Courts or by the profession. A few years ago there was a proposal to do away with the Grand Jury. It led to a very active discussion among the judges themselves, by the Grand Juries and by the press, and resulted in threshing out the subject pretty thoroughly, and that did a large amount of good. It may result, probably, in the abolition of the Grand Jury, but it would have been a mistake to act on the first impulse. If this subject should be discussed by the profession and the judges openly, we probably may, four or five years hence, come to a different conclusion from what we have now. It is an innovation which is rather shocking to our views, inasmuch as in the matter of criminal administration we are all pretty conservative, and we do not wish to go in advance of the mother country, which is admitted to be in the van in the matter of criminal law.

Hon. Mr. KAULBACH—If the hon. gentleman who has the Bill in charge will omit that part of it—"compellable"—and the other portion allowing the wife to testify against the husband and the husband against the wife, it would shorten the debate.

Hon. Mr. ANGERS—It has been stated that the principle of this Bill is altogether new, and in advance of any other legislation. I wish to point out that the Bill is already law in the province of Ontario—I mean that of making the wife and husband witnesses competent and compellable. I will refer to the Statute—chapter 14, section 9 of the Ontario Acts of 1891, assented to the 14th April, 1892. If the principle is good in one case, it might be applied in another.

Hon. Mr. SCOTT—There is no dispute about civil cases.

Hon. Mr ANGERS—This does not apply purely to civil cases. It also applies to cases, such as arise under the License Act, in which penalties are provided and imprisonment is the punishment in default of payment. Therefore, if in Ontario the principle has been admitted to be good in civil cases and in mixed cases, quasi-civil and quasi-criminal, in which a man is punished by a fine, and, in default of payment by imprisonment, which may last for months and months, it is not derogating very much from the principles of English legislation to propose that the same system may be adopted with justice and wisdom in greater cases. It is proposed to apply the same rule of evidence in cases of crime and misdemeanour, and also in civil cases under the jurisdiction of the Dominion of Canada. Now if it be thought wise that the wife should give evidence in favour of her husband when he is only subject to a fine or imprisonment for perhaps five or six months, will you tell me that it is not wise that this man, fighting for is life at the bar, should have the same privilege of calling his wife to give evidence in his favour, and if she can be called to give evidence in his favour, why should she not be made compellable also? What is the main object of the administration of justice? The main object is to punish crime and to get at the truth.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. ANGERS—If in the cases that I have cited the object is to get the truth, why in the case of crime and misdemeanour should not that very same mode be used to get at the truth and to punish such crime?

Hon. Mr. BELLEROSE—I say for a minor offence the wife or the husband may be a sufficiently good Christian not to commit perjury, but, in a case where the crime is punishable with imprisonment in a penitentiary or possibly death, the same witness might swear falsely in order to clear the wife or the husband as the case may be. There is a great difference between the two.

Hon. Mr. ANGERS—I do not see the difference, and for my part the conscience speaks as loudly in a small matter when it speaks under oath as it does in a great matter. The principle is the same and the fear of God must be as great when you give evidence about a small matter as in a great matter. Of course if we are to distinguish between those who are credible witnesses and those who are not, we cannot make any laws. We should have to refrain from making laws altogether. We should have to refrain altogether from examining witnesses under oath, if the principle which the hon. member from DeLanaudière lays down is to be accepted to its fullest extent. This law which has been applied in Ontario in smaller matters, has so far, given ample satisfaction.

Hon. Mr. POWER—The Act was only passed last year.

Hon. Mr. ANGERS—I have said so far. I have read nothing in the papers and have heard nothing from the Ontario lawyers that would indicate that it did not work well. True, the experience under the Act is very short. The question was asked whether the judges of this country had expressed any opinion on the matter.

Hon. Mr. SCOTT—With regard to the criminal law, I mean—higher offences.

Hon. Mr. ANGERS—In relation to this very Bill, I do not think they have given any opinion as to whether an accused person should be a compellable witness.

Hon. Mr. SCOTT—That is the only point.

Hon. Mr. ANGERS—The judges have expressed an opinion as to the advisability of allowing an accused person to give evidence. It might have gone as far as making it compellable, but the note that I have before me does not justify me in affirming before the House that they have given an opinion whether the accused should be a compellable witness or not: but 29 have expressed the opinion that the accused person should be a competent witness, and nine only opposed the principle. So far, then, I see that the opposition is to the word "compellable." Do I understand the House to oppose that portion of it where the husband and wife are allowed to be witnesses?

Hon. MEMBERS—Yes, yes.

Hon. Mr. ANGERS—Let us deal now with the "compellable" part of it; we shall then come to the other portions. I propose that the Bill be accepted with the word "compellable." I want to have the opinion of the House on the subject.

On the third clause.

Hon. Mr. SCOTT moved that in the third line the words "and compellable" be struck out.

Hon. Mr. KAULBACH—That affects the wife as well as the husband. I cannot agree with my hon. friend the Minister. The argument he has adduced before us has had no effect on my mind. My hon. friend dealt with the question of the conscience; but we must judge human nature as we find it, and we must ask what effect the position of a wife towards a husband or a husband towards a wife would be if either were compelled to give evidence against the other? I fear the best of us would shrink from committing our wives to the penitentiary or to sacrifice their lives. My hon. friend referred to the question with regard to the small offences as well as the larger ones; but that is not the standard by which we are to judge human narure—not the standard I wish to be judged by if, as a result, my wife were to lose her life by it. The question would be between my conscience and my oath, and therefore I judge other people by myself in these matters, and we must judge those classes whose standard is the lowest in this matter, as well as those who are governed by standards that we must set up for ourselves. I am utterly at a loss to know why this sudden change has come over the Senate. Last year a Bill was brought in which passed through Committee, I believe, making the prisoner a permissable witness, but not compellable. It did not go further than that.

Hon. Mr. MILLER—What Bill is that?

Hon. Mr. KAULBACH—The Evidence Bill.

Hon. Mr. MILLER—I think it was the Criminal Code.

Hon. Mr. KAULBACH—Perhaps it was, but I thought this Bill was before the Committee.

Hon. Mr. MILLER—The Bill that was introduced last session in the House made the prisoner a competent and compellable witness. In the Joint Committee of both Houses, to whom that Bill was referred, we altered that provision and made it to read "competent and not compellable."

Hon. Mr. KAULBACH—We had the criminal code up before us. When we were asked to amend that code, we were asked to do something that was wrong. I think we should not hasten in this matter. There is nothing in the moral nature of our people here that compels us to go beyond the well established principles of criminal law which have stood the test of centuries, that a man is not obliged to give evidence against himself, and cannot give evidence for himself in any criminal case; neither can the wife nor the husband give evidence against each other. England has not thought proper to change that principle; they see no necessity for it, and why this new theory, advanced I do not know by whom, and not asked for by the members of the bar or by the people, should be brought before us at all, is beyond my comprehension. I have probably had as much to do with criminal law as almost any hon. gentleman in this House. In my early practice I defended unfortunate criminals, and after a while, when I was appointed Queen's Counsel, I had a great deal to do in criminal matters and capital offences, and I have yet to learn that any change of the existing law would cause an improvement in the administration of justice. I believe, on the contrary the proposed change would result in a miscarriage of justice. My whole knowledge and practice in criminal cases lead me to believe that a change in this regard would not improve the administration of justice. It would benefit the skilled criminal: the cool, collected fellow would go into the box and might be able to escape by cleverness; but the poor unfortunate man who goes before a magistrate for the first time is sent to jail and remains there until his constitution is broken up. He is then brought up before a skilled counsel, and the unfortunate prisoner is incapable of giving even honest evidence, because he is so cowed by the people who presume him guilty, owing to the fact that he has been taken out of a dungeon and brought before the court, that in nine cases out of ten he would be so confused that instead of exculpating himself, and obtaining justice to his case, the tendency would be the other way, and he would have the prejudice of the court and community against him, because they would not believe him under his oath, although you compel him to give it; and then, supposing a man will not give his evidence at all, you leave him in the position of being considered guilty of the offence with which he is charged. Looking at this Bill from every stand-point, I think it encourages crime; you put a premium upon crime. I think in this matter there is a minimum of good and a maximun of evil. It is going back to the methods of the Star Chamber and the inquisition, and savours of the thumb-screw, the boot, and the rack.

Hon. Mr. McKINDSEY—I wish to say that I am opposed to clause 3, which allows a witness to give evidence on his own behalf.

Hon. Mr. LOUGHEED—I doubt if within the four corners of our Statute-book any section could be found importing so many radical departures as in this particular section from the principles of evidence so well established by our present system of jurisprudence. The Minister of Agriculture said the other day, in introducing the Bill, that we were not committed to the principle of the Bill by agreeing to the second reading. I see in this clause no less than three principles, one of which I very gladly concur in, the other two of which I am entirely opposed to. In the first place there is imported into this clause the principle of competency. In the next place there is imported into the clause that very radical departure from a well established principle of the law of evidence which has existed almost from time immemorial so far as our English law is concerned, the question of compellability, contained in the compulsory feature of this particular clause. In the next place there is introduced into it what has never existed in the history of English jurisprudence, or so far as is known, according to the statement of Sir James Fitzjames Stephens, in respect to the jurisprudence of any country.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. LOUGHEED—The introduction of the principle by which the husband may give evidence against the wife, or the wife against the husband. Permit me, hon. gentlemen, in the first place to deal for a moment or so with some observations made by the hon. Minister of Agriculture in advocacy of the introduction of two of the principles to which I object, namely, the compulsory feature, and the admissability of the evidence of the husband as against the wife. I would point out to my hon. friend that the class of cases referred to in the Ontario statute, and those for which we are legislating, are entirely different and absolutely distinct, as wide apart as one could possibly conceive, namely, a class of offences dealing with municipal law, and that more serious class of offences dealing with misdemeanours and felonies. Now, I would point out to my hon. friend that according to our best jurists there is no affinity whatever between those two classes of law, viz., municipal law and criminal law; and I would refer my hon. friend to Sir James Fitzjames Stephen's work on criminal law, at page 3, in which he deals with that particular class of cases. I know that the trend of modern legislation in regard to municipal offences has been to make admissible the evidence of the husband as against the wife, and the wife as against the husband, and also to make compulsory the evidence of the accused. Reading from his work upon the general view of criminal law, I cite the following:—

> Again, there are several branches of law which cannot properly be described as part of the criminal law, but are very nearly related to it. The most remarkable of these is the law relating to what are described as penal or *qui tam* actions. These are cases in which particular matters principally connected with the enforcement of some special Act of Parliament are made liable to penalties which may be claimed by private persons or public authorities who choose to sue for them. Innumerable instances might be given of these. One well-known case gave rise to an action brought against Mr. Bradlaugh for having voted and sat in Parliament without taking the oaths then prescribed for a person who did sit and vote. Other instances are to be found in the Municipal Corporations Act, which imposes penalties on those who act as members of Town Councils without being duly qualified or who, being such members, accept any contract with the Corporation.
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> Though closely allied with the criminal law properly so called, these enactments cannot be said to form a part of it. They all depend upon special Acts of Parliament, relating to an immense variety of subjects quite unconnected with each other and illustrating no general theory or principle.
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> Many crimes in the full sense of the word are properly speaking only sections meant to enforce Acts of Parliament relating to subjects which have little to do with crime. Such, for instance, are sections of the various marriage Acts, which forbid, under pain of penal servitude, certain irregular marriages; sections in numerous Acts which make certain false declarations equivalent to perjury; sections which appoint special punishments for the forgery of particular documents, and an infinite variety of others. Of these I say nothing. They belong rather to the particular subjects to which the Acts of Parliament containing them refer than to the criminal law in the common sense of the phrase.

It is not necessary for me to say that the provinces cannot legislate in respect to criminal law, and the divergence is so wide between the two classes of offences—the one an offence and the other a crime—that the principle embodied in the Ontario Statute cited by my hon. friend the Minister of Agriculture cannot be said to be a parallel case nor analogous nor applicable in reference to this particular Bill. It appears to me, hon. gentlemen, that the principle has been lost sight of, which has given rise to our present system of the law and evidence in respect to criminal cases. The trend of all modern legislation for the last half a century or more has been to enforce such legislation or to pass such legislation as would protect the prisoner while being tried on the particular charge which has been laid against him. If hon. gentlemen will look at the history for some time past of legislation in respect to law of evidence they will see that this is the idea that has animated and inspired all the legislators who have endeavoured to legislate on this particular subject. We find quite a difference existing between the law of England and the law of France in respect of this particular matter. Now to show the spirit which has animated the French legislature in dealing with the same matters, I would ask the indulgence of the House while I refer to a citation from a French author cited in Stephens book on criminal law—upon a very similar question to that which is now before this House. Sir James Fitzjames Stevens, speaking of this principle by which an accused is not called upon to criminate himself, or in other words, by which he is granted immunity from being made a compulsory witness against himself lays it down as one of the fundamental principles of our system of jurisprudence ; and he says :—

> This is one of the most characteristic features of our English procedure, and it presents a marked contrast to that which is common to, I believe, all continental countries. It is, I think, highly advantageous to the guilty. It contributes greatly to the dignity and apparent humanity of a criminal trial. It effectually avoids the appearance of harshness, not to say cruelty, which often shocks an English spectator in a French court of justice, and I think that the fact that the prisoner cannot be questioned stimulates the search for independent evidence. The evidence in an English trial is, I think, much fuller and more satisfactory than the evidence in such French trials as I have been able to study.

And he attaches to his work on criminal law this extract taken from one of the leading French authors upon a kindred subject ; the contrast is described by M. Cottu pages 103 and 104 :—

> The Courts of England offer an aspect of impartiality and humanity which ours, it must be acknowledged, is far from presenting to the eyes of the stranger. In England, everything breathes an air of lenity and mildness ; the judge looks like the father in the midst of his family occupied in trying one of his children. (An extraordinary position for a man to be in.) His countenance has nothing threatening in it. According to an ancient custom, flowers are strewn upon his desk and upon the clerk's. The sheriff and officers of the Court wore each a nosegay.
>
> Everything among us, on the contrary, appears in hostility to the prisoner. He is often treated by the public officers with a harshness, not to say cruelty, at which an Englishman would shudder. Even our presiding judge, instead of showing that concern for the prisoner to which the latter might appear entitled, from the character of impartiality in the functions of a judge whose duty it is to direct the examination and to establish the indictment, too often becomes a party against the prisoner, and would seem sometimes to think it less a duty than an honour to procure his conviction.

Now, I ask hon. gentlemen are we seeking to introduce into this Dominion of Canada this system which has been designated, not by the leading jurists of Great Britain, but by the leading jurists of France, to be a scandal in the French Republic ? It certainly has been so designated by all the leading writers both in Great Britain and in France to be a scandal at the present time that trials should be conducted as they are at present in France. I say unhesitatingly, hon. gentlemen, that the two features in the Bill to which I object are no less than a revival of the system which prevailed centuries ago, which my hon. friend from Ottawa referred to when the thumb-screw and the rack were resorted to for the purpose of extorting from an unfortunate accused a statement which might have been entirely in conflict with the truth, but which might be in harmony with the desire of his prosecutor, for the purpose of establishing a case against him. Allow me to say that so far as I can ascertain—and I have looked into this matter so far as my abilities and my facilities have permitted me—I cannot find either on the continent of Europe or on the continent of America any system approaching or adopting the principle imported into this Bill in respect to the accused and his wife, or *vice versa*, as the case may be. I certainly have been somewhat curious to ascertain how the idea arose to introduce a Bill that so far ignored well established traditions and that fundamental principle of our system of jurisprudence, to which I have alluded. Why these should be so departed from as to be entirely trodden under foot and a new principle incorporated which has never been demanded by leading jurists, which has never been required by the public, I am at a loss to comprehend. It is an innovation I say of the most advanced character ; it is not only radical legislation, but it is experimental, so far as experiment can possibly be tried.

Hon. Mr. MILLER—Does my hon. friend intend to apply that language to the competency as well as the compulsory feature of the Bill?

Hon. Mr. LOUGHEED—No, I refer to the compulsory clause, as to accused and also as to husband and wife. Allow me to say that I congratulate the Government upon introducing a Bill so much in harmony with public opinion as expressed for the last 25 years, namely in making the evidence of the accused admissable, I think this Government is to be complimented upon the fact that inasmuch as they have after various trials endeavoured to introduce this particular feature into our law of evidence, there is now a certainty of such becoming law. Such a Bill on three occasions has passed the House of Lords, which is the most conservative institution I think which exists on the continent to-day, but it has not yet succeeded in passing the Commons. I therefore say that the Government is to be congratulated on the introduction of this important legislation and I hope that feature of the Bill will receive the unanimous support of the House. Let me return to the other feature in the Bill. I refer to the evidence of the wife against the husband. Sir James Fitzjames Stephens says that "in no place is the husband compelled to testify against the wife or the wife against the husband."

Hon. Mr. MILLER—Hear, hear.

Hon. Mr. POWER—Not even in France.

Hon. Mr. LOUGHEED—That is the most comprehensive statement made by a well known writer.

Hon. Mr. DEVER—That they were not permitted at all to give evidence against each other?

Hon. Mr. SCOTT—Not compelled.

Hon. Mr. LOUGHEED—Not compelled, either in Europe, America or elsewhere. In no country according to Stephen is the husband compelled to give evidence against the wife, nor the wife against the husband.

Hon. Mr. ANGERS—Except in Ontario in criminal matters.

Hon. Mr. LOUGHEED—The Ontario Act does not deal with crimes. Now, I say that the Bill which has been submitted to this House contains a recognition of the impolicy of this particular matter which is sought to be embodied in this clause and I refer to this clause:

> Provided, however, that no husband shall be compellable to disclose any communication made to him by his wife during their marriage.

I cannot understand the peculiar inconsistency of his particular phraseology. It is laid down here so as to permit of no doubt whatever that the Government recognized the impolicy of making a husband give evidence against the wife so far as any disclosure which has taken place between them is concerned "that no husband shall be compelled," &c.

Hon. Mr. ANGERS—Competent it is?

Hon. Mr. LOUGHEED—Let me point out the strange inconsistency notwithstanding this fact. This only affects communications made between the husband and the wife. Now the husband would be a compellable witness as against the wife for any offence committed by the wife in respect to any matter where there was not a disclosure by communication. Now there is the inconsistency.

Hon. Mr. ANGERS—Oh no!

Hon. Mr. LOUGHEED—If there has not been a disclosure or a communication of what has taken place between the husband and wife; that is to say if the wife commits an offence and the husband sees her commit that offence, but she has not disclosed the offence to the husband than the husband is compelled, is dragged into the witness box and made a compellable witness to give evidence as against his wife; and then on the other hand if the husband is found in the commission of the offence and the wife should see the husband commit the offence she is bound to give evidence against him. Now there is a recognition at once of the unwisdom and the impolicy of the introduction of any such principle. I say it is not only a radical departure from the principles to which I have already alluded, but it permits evasion of the grossest character to take place in respect of what is already provided against. Perhaps a lawyer naturally looks at the construction of a statute to find in what way evasion may be prevented or employed. Allow me to point out the peculiar way in which this is drawn. Now all that a man has to do for the purpose of granting immunity to himself and prevent his wife giving evidence against him is to disclose the matters to her and then claim the immunity.

Hon. Mr. ANGERS—No, the wording does not bear that interpretation at all. He is not debarred from stating facts which he has seen; but he is not bound to give evidence of the communication that took place between him and his wife.

Hon. Mr. LOUGHEED—He can at once say when he is put in the box, "my wife has disclosed to me the commission of this offence."

Hon. Mr. MILLER—Then he will be asked, "do you know anything about it apart from that?" If he knows the facts, independent of the communication, then his evidence is not shut out.

Hon. Mr. LOUGHEED—Then that being the case he is bound to give evidence against his wife.

Hon. Mr. ANGERS—Yes, of the facts he has seen.

Hon. Mr. LOUGHEED—I say that is a principle which should not be adopted by this House. As I have before said, there is no precedent for the incorporation of such a principle in any system of evidence; there has never been any demand for it on the part of jurists, on the part of lawyers, on the part of public opinion, or from any other source, so far as I can ascertain. I might say that this matter came up before the Joint Committee appointed by both Houses last session for the purpose of codifying the criminal law, and for the purpose of reporting upon the law of evidence as then proposed, and that committee after going very carefully into the Bill, prepared a clause which I have before me, and which is very much on the lines of the English Act, which reads as follows:—

> 4. Every person charged with an offence, and the wife or husband, as the case may be, of the person so charged, shall be a competent witness, whether the person so charged is charged solely or jointly with any other person: Provided as follows:—
>
> (*a.*) A person so charged shall not be called as a witness in pursuance of this Act, without his consent;
>
> (*b.*) The wife or husband of the person charged shall not be called as a witness in pursuance of this Act without the consent of the person so charged, save that where a man is charged under any of the provisions of the Criminal Code of 1892, specified in schedule A to this Act, without his consent.

Schedule A refers to a class of cases providing for the purity of morals, &c. I might say that the amendment which I now move, and which was adopted by the Joint Committee last year, is very much upon the lines of the amendment to the criminal law which was introduced into the Imperial Parliament and which passed the House of Lords, but was defeated in the House of Commons. In connection with this particular point, I might say that never have they gone so far in England as to introduce the feature of compulsion in respect to the law of criminal evidence. Much as this matter has been discussed for the last quarter of a century in England, and many as the efforts have been to incorporate it into their criminal law, yet there never has been even a proposition made so far as I can gather from the Imperial debates, that this particular feature should be introduced into their volume of criminal law; and it is not necessary for me to say that we have always looked to England as the fountain head from whence our system of jurisprudence has sprung. If there has been any legislation in which England has been almost radical in, it has been in keeping pace with advanced thought in the matter of evidence with respect to criminal law—at least on the part of her leading jurists in endeavouring to pass through Parliament such legislation as would be conducive to public good in connection with this particular subject. I therefore think that if we adopt legislation which will be in harmony with the most advanced thought in Great Britain and elsewhere it should suffice. This hon. House should not be asked to pass legislation on this subject of a more advanced character than that which has been adopted or approved by other countries. I therefore move the amendment which I read from the Bill of last year.

Hon. Mr. SCOTT—I withdraw my motion because the language of this amendment is more suitable.

Hon. Mr. MILLER—I have just been reminded by an hon. gentleman who is as competent as any member of this House to speak upon it, that the subject has been quite exhausted and that he hopes I will not make a long speech, and I have given him the assurance that I will not; but the subject is one of such importance that I feel I would like, after the remarks which have fallen from the hon. gentleman, to say a few words with regard to it, especially as I had the honour of being chairman of the Joint Committee on the criminal code, which met last session and which had this Bill under consideration. There cannot be a question that the Bill is an important departure from the settled principles of legislation in respect to criminal evidence either in Great Britain or in one of its dependencies. That is a point upon which we all agree, but it must be admitted, I think, at the same time, by those who have given any thought to this question, that for years past the trend of public opinion in Great Britain has been in the direction of this Bill. The principle so much respected and so long adhered to, and clothed with so much veneration from its antiquity, of not permitting a culprit to commit himself or give evidence against himself, has been gradually losing force and weight amongst the cultured legal minds of Great Britain, and I think that no proof of that assertion is required from the fact that on two occasions a Bill very similar to this has gone through the House of Commons, where we all know some of the finest legal minds in Great Britain have discussed the question. That being the case I think we need not be so much afraid of taking this step, because in this country we can make innovations, we can take steps in advance in regard to the improvement and liberalizing of our laws, which cannot be done so easily in old countries, which are hedged in by traditions and associations which have not yet sprung up to give us trouble or stand in our way in that respect in a new country like Canada. It is a great deal to have the example of the House of Lords and leading legal minds of the Empire in favor of the principle which is contained in this Bill. My hon. friend from Calgary, who made a very able speech to which I listened, as I alway listen when he speaks on a question of this kind, with the greatest deference, led me to suppose from the tone of his speech that he was in opposition altogether to every portion of this Bill. I was very happy—on the interruption that I took the liberty to make—to learn that his argument, strong as it was, was directed altogether against the compulsory character of the Bill, and not against giving competency to any witness to give testimony in criminal matters in a Court of justice. And I may say here the clause under the consideration of the House involves two or more principles which are innovations on our law of evidence in criminal matters. It involves first, the making competent and compellable witnesses, and secondly, it involves the appplication of that principle to husband and wife. In all general laws of evidence exceptions have been made in English statutes in favour of the exemption of the husband from testifying against the wife, or the wife against the husband. Therefore, we have two distinct principles to consider here in this case. I may say, for my own part, I am in favour of making a party criminally charged a competent witness, but I am not in favour—although my mind goes somewhat in that direction—I hesitate going the full length of making him a compulsory witness. It may be said when a witness is made competent and he refuses to take advantage of the opportunity that the statute offers him, that he is looked upon as being guilty. Admitting the force of that deduction, I think there would be greater danger in making him a compulsory witness if he were guilty, for undoubtedly he would not hesitate even in minor cases, if forced to do so, to make statements contrary to the truth, and in fact to commit wilful perjury in more serious crimes. Therefore, I am at present only in favour of making an accused person a competent witness, and I see no objection to applying the principle of competency to husband and wife when it is in relation simply to facts within the knowledge of each and not to confidential communications, or indeed any communications that may have taken place between them. On the contrary, I see a great deal of reason in many cases why these parties should be competent witnesses. Supposing a crime is attempted to be committed on the wife, and the husband steps in and takes the life of the individual who makes the assault. Is it not a hard case that the wife should not be a competent witness if her husband were charged with the murder of that man, to give evidence in his favour?

Hon. Mr. LOUGHEED—I hope my hon. friend does not suppose that I oppose that principle.

Hon. Mr. MILLER—I do not now understand my hon. friend to extend his objection beyond the matter of making witnesses compellable, even in the case of the husband and wife. We have the clearest indication now of what his real views are on this question from the amendment he has just submitted to the House. There are other classes of criminal cases in which the party accused should be a competent witness and because he is very often the only person able to speak in regard to his innocence. In a case where crime has been committed where only two were present, the accuser and accused, he would have a chance to obtain justice if the charge were false. Under these circumstances, I may say I intend to vote for the amendment of my hon. friend. I hold the Bill in my hand as it was introduced originally in the House of Commons last year and was sent to a Joint Committee of both Houses. The hon. gentleman read quotations from the Bill as originally introduced last year, and as it left the Joint Committee, and said he favoured the Bill as the Joint Committee amended it.

Hon. Mr. McKINDSEY—I have not troubled the House in the many years that I have been here in the discussion of important questions that have come before us, but this is one on which I wish to express an opinion. When any legal question comes up in the Senate, gentlemen of the legal profession seem to imagine that they should monopolize the subject. I am opposed to this Bill *in toto*. I take this ground after an experience of nearly thirty years in criminal matters. In my judgment, to make a person who is charged with a criminal offence a compellable witness, is entirely wrong. Under the law as it stands to-day, a person charged with a criminal offence is brought before a magistrate, and if a *prima facie* case is made out against him, he is sent for trial to the superior court. When he is put in the dock his mouth is closed. The Court says:—"You cannot explain anything, you cannot give evidence; you are simply in that box to be tried by the evidence that will be brought to bear on your case." Then the Crown is obliged to bring evidence to prove the charge; the prisoner is presumed to be innocent until he is proved guilty. The Crown closing that man's mouth and putting handcuffs on him says, in effect, that if only one witness comes up against him it is not sufficient to convict him—that there must be some corroborative evidence in addition to that of the witness.

Hon. Mr. LOUGHEED—That is only in certain cases.

Hon. Mr. McKINDSEY—That has been the position of the law heretofore. The effect of this Bill would simply be this: the accused may, if he chooses, go into the box and the jury may attach what importance they like to his evidence. At all events, they will be inclined to say that his evidence is not so worthy of credence as that of another person. But supposing the prisoner refuses to go into the box, what will be the effect on the jury? The jury and the people outside would say that the accused was afraid to go into the box and give evidence. If hon. gentlemen in this House will think over the matter for a moment they will come to the conclusion that every prisoner on trial, if compelled to go into the witness box, is likely to perjure himself, thus adding another crime to the one already committed. That is human nature, and why should we offer inducements to perjury? Why should we, by the law of this country, encourage people to commit a second crime in order to escape the consequences of the first? I think it is mischievous legislation from beginning to end, because no man will give evidence to convict himself. Then, as to making a witness compellable, that can only apply to the Crown.

The Crown is compelled to prove the case against the prisoner, and this is to enable the Crown to use the prisoner to convict himself. Does any one believe that there is one man in a hundred who will prove himself guilty? I do not care what precedents may be brought from England or any other country. We are here to make laws for our own people. I have had thirty years experience of the administration of criminal law, and I say that there is no good to come out of legislation like this. It will only encourage the commission of a second crime when a first offence is charged. We have too much perjury already. The small courts of this country, as I have felt for a good many years, more particularly in Ontario, are a common school for perjury, When you come to trials of contested elections, they are simply a superior kind of school for perjury. When you come (judging by experience in my own county) to the Scott Act, it has been a sort of academy for perjury. I do not want to add another school of perjury to the list. There is no use of putting a prisoner in a position of adding another crime to the one he is charged with.

Hon. Mr. POWER—The hon. gentleman from Milton is perhaps the most conservative man in the House. In 1885, a measure making an accused person a competent witness was introduced in this House and I had the honour to have charge of the Bill. When I moved the second reading of that Bill the hon. gentleman from Barrie, who spoke first to-day in favour of this measure, delivered a very able and learned address against the Bill. The hon. gentlement from Lunenburg also did the same thing. His adress was not quite as learned, but it was just about as long ; and the hon. gentleman from Ottawa gave an address which was able and full of his own experiences as Crown Prosecutor.

Hon. Mr. MILLER—I forget what I did.

Hon. Mr. POWER—The hon. gentleman from Richmond, so far as I know, "lay low." It shows how much legal gentlemen in this House have been educated. They keep their minds open, and new light has come in upon them but the hon. gentleman from Milton is just where he was eight years ago. I have the greatest respect for the experience of the hon. gentleman from Milton, but I think when we set against his judgment that of the hon. gentlemen from Richmond, from Barrie, from Lunenburg and from Ottawa, we will hardly think it as good as theirs. I may say further, for the information of the hon. gentleman from Milton, that nearly all the most prominent legal minds in England are in favour of this Bill. The late Attorney-General, the present Attorney-General, Sir Charles Russell, the late Lord Bramwell, the late Lord Selborne and all the leading lights in the profession in England are in favour of this Bill. The hon. gentleman from Richmond referred to a suggestion which I made to him, and which he appears to have misunderstood, and I rose for the purpose partly of saying that I did not think the hon. gentleman was asked to curtail his remarks, but I said that he might suggest, at the close of his remarks, that the House understood the position pretty well now, and that hon. gentlemen were quite ready to vote on the measure, and, although I might talk for half an hour on the subject, the House is ready to vote.

Hon. Mr. PROWSE—It may be the opinion of some hon. gentlemen that the House is ready for the question, and that when certain gentlemen have expressed their opinions on the question before us, everybody ought to be ready to take a vote. But I want to hear this question discussed sufficiently, so that I can give an intelligent vote, which at the present I might scarcely know how to do. I am impressed by the remarks made by the hon. member from Milton. I look upon it in this way, that when you make a prisoner a competent witness, you are going a long way towards making him a compellable witness. He must make his selection. He may have his mind made up that if he is only heard by the court and jury, he will show that he is innocent of the charge. The moment he becomes, by his own request, a witness, he becomes a compellable witness to all intents and purposes, in this way—he makes his election, taking it for granted that he is innocent, because he believes that if he can be heard, he can prove his innocence. He is put in the box, and then he is subjected to examination by his attorney, and cross-examination by the Crown prosecutor. It has been said by some learned gentleman to-day that the principle object of the courts of justice is to get at the truth ; but there is another object almost equally prominent. We know very well that the legal profession has become to a great extent overcrowded. It is becoming a case of the survival of the fittest, and it is an object with lawyers when they go before the Court to make out their case—I was going to say by fair or by foul means. I have heard an honest and unsuspecting witness tortured in the witness box until he was compelled to tell an untruth. I would not say that such a person has perjured himself, but that it was the result of the sharp cross-examination. I heard of a prominent gentleman in another place—I will not mention his name—being engaged in a case in a certain court. This gentleman who has the reputation of being a terror to witnesses, when about to begin the cross-examination, stood in front of the witness and stared him in the face. The man was almost paralyzed by the look of the attorney, and exclaimed: "My lord, I declare to Heaven that I have told the truth whatever Mr. Jones may make me say." An accused person may make himself a witness, and then he is subjected to all the torture of a cross-examination. If a prisoner could be allowed to make his own statement and then be questioned by the judge upon the bench, or by the jury who are anxious to get at the truth, I would not have so much objection to it, but on the whole, the legislation here proposed will tend to injure rather than to do good, and if you begin to allow one prisoner to take his choice of being a witness, and another prisoner says "I will not go into the witness box," the very fact that he has the privilege of doing so, and does not do it, will be used against him.

Hon. Mr. SCOTT—At the present time a prisoner has the right to make his statement without being sworn, either through his counsel or directly to the court. He can give his account of the circumstances.

The clause was adopted.

Hon. Mr. HOWLAN, from the Committee, reported that they had made some progress with the Bill.

BILLS INTRODUCED.

Bill (45.) "An Act to incorporate the Cleveland, Port Stanley and London Railway and Transportation Co., and to confirm an agreement respecting the London and Port Stanley Railway." (Mr. Lougheed.)

Bill (54.) "An Act to incorporate the Alberta Irrigation Co." (Mr. Lougheed.)

Bill (35.) "An Act to incorporate the Calgary Irrigation Co." (Mr. Lougheed.)

Bill (89.) "An Act respecting the Nelson and Fort Sheppard Railway Co." (Mr. Reid, B. C.)

Bill (58.) "An Act to incorporate the Automatic Telephone and Electric Co. of Canada." (Mr. Murphy.)

CANNED GOODS ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. BOWELL moved the Third reading of Bill (R) "An Act to amend the Act respecting canned goods."—He said: I may intimate to the hon. gentleman from Halifax that I have been thinking over his proposition to add the word "quality." I think it would be impracticable, when you reflect that the article might be, when put in cans, of first-class quality and might, for the reason suggested by the hon. leader of the Opposition—through exposure to the sun in shop windows for a month or two—deteriorate in quality. If that amendment were inserted, it might render the packer, under such circumstances, liable to a penalty.

The motion was agreed to, and the Bill was read the third time and passed.

TRIAL OF JUVENILE OFFENDERS BILL.

WITHDRAWN.

The Order of the Day being called—"Committee of the Whole House on Bill (N), An Act respecting the trial of Juvenile Offenders."

Hon. Mr. ALLAN said:—I notified the House that when this Bill came up again I should ask leave to withdraw it. I regret very much having to do so, because I think it is extremely desirable that the main object of the Bill—namely, to ensure the trial of juvenile offenders for petty offences privately—should be accomplished. It is extremely desirable that it should be made compulsory upon the police magistrates and justices of the peace to try these young offenders promptly and privately, but there are other clauses in the Act which I think could also be amended in the way suggested by the Minister of Justice. I recognize the fact that it is important that any legislation affecting the criminal law should be thoroughly considered. Hasty legislation in a matter of this kind is not at all desirable. Therefore, I ask leave to withdraw the Bill for the present session.

The Bill was withdrawn.

SECOND READING.

Bill (T) "An Act to amend the North-west Territories Act." (Mr. Angers.)

RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (U), An Act further to amend the Railway Act.

Hon. Mr. POWER—I wish to inform the Minister that there is one point to which I wish to draw his attention when the Bill is before Committee—that is the third clause.

Hon. Mr. BOWELL—I will explain in Committee the reasons why the Department think this provision in the third clause is necessary.

The motion was agreed to and the Bill was read the second time.

The Senate adjourned at 6.15 p.m.

THE SENATE.

Ottawa, Friday, March 24th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

FIRST READING.

Bill (112) " An Act respecting the inspection of petroleum." (Mr. Bowell.)

THIRD READINGS.

Bill (26) " An Act relating to the Harbour of Thornbury on Georgian Bay." (Mr. McKindsey.)

Bill (77) " An Act to further amend the Act to enable the City of Winnipeg to utilize the Assiniboine River Water Power." (Mr. Sutherland.)

Bill (84) " An Act respecting the Canadian Pacific Railway." (Mr. MacInnes, Burlington.)

Bill (86) " An Act respecting the Chilliwack Railway Company." (Mr. MacInnes, Burlington.)

Bill (49) " An Act to incorporate the Atlantic and Lake Superior Railway Company." (Mr. Ogilvie.)

NORTH CANADIAN ATLANTIC RAILWAY AND STEAM-SHIP COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Select Committee on Railways, Telegraphs and Harbours, reported Bill (67) " An Act to revive and amend the Act to incorporate the North Canadian Atlantic Railway and Steamship Company," with certain amendments.

He said:—It is my duty to explain the amendments which have been made in this Bill. It is an Act to revive and amend the Act with respect to the North Canadian Railway and Steamship Company, and to change the name of it, amongst other things, and in the change of the name they adopted the name of another company. They asked to be incorporated as the Labrador Railway and Steam-ship Company and this conflicting, as it did, with the name of an existing company, it was proposed, and consented to unanimously by the Committee that the name should be changed, and that it should be "the Quebec and Labrador Steam-ship Company," so that the title would indicate their scope, and then the title would not interfere with that of any existing company. I may explain the two amendments because the one is entirely consequential upon the other—that the title of the Bill should be the Quebec and Labrador Steamship Company. I see no objection to the amendments, which are consented to by the gentleman in charge of the Bill.

Hon. Mr. CASGRAIN moved that the amendments be concurred in.

The motion was agreed to and the Bill was read the third time and passed.

CATHOLIC MUTUAL BENEFIT ASSOCIATION OF CANADA.

THIRD READING.

Hon. Mr. ALLAN, from the Select Committe on Banking and Commerce, reported Bill (66) " An Act to incorporate the Grand Council of the Catholic Mutual Benefit Association of Canada," with amendments. He said:—The association named in this Bill had previously been incorporated by an Act of the Ontario Legislature and seek now to be incorporated under a Dominion Act, and in the first section it is thought desirable to make an amendment in order to show more clearly who the incorporators were under the present Act. That is the only amendment.

Hon. Mr. McKINDSEY—(in the absence of Mr. SULLIVAN) moved concurrence in the amendment.

The motion was agreed to, and the Bill was then read the third time and passed.

WITNESSES AND EVIDENCE BILL.

REPORTED FROM COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill (23) " An Act respecting Witnesses and Evidence."

(In the Committee.)

Hon. Mr. POWER—We had just disposed of the fourth clause of this Bill when the Committee rose yesterday, and it struck me that the amendments which were made in the Bill rendered another amendment necessary. I propose the following sub-clause to be added to clause four :—

> The failure of the person charged, or the wife or the husband of such person charged, to testify shall not create any presumption of guilt of the person charged, and such failure shall not be made the subject of comment by the counsel for the prosecution.

It is quite clear that the changes that we made in the clause yesterday would altogether fail in their effect if the counsel for the prosecution were allowed to make any comment on the fact that the person charged, or his wife, had not given evidence. The effect of such comment would be almost as bad as if the person had gone into the box and had given evidence calculated to injure him or herself. I may say that a provision, such as is contained in this amendment, exists in the United States law and in the laws of various states of the Union. I know it is in the laws of the State of Nebraska. It is a necessary consequence of the amendment which was adopted by the committee yesterday.

Hon. Mr. ANGERS—In dealing with this Bill I do not know that all our anxiety should be for the accused. We should also keep in mind the main object of the administration of justice, which is to elicit the truth and punish crime. Yesterday we accepted a clause by which a prisoner can go into the box and give evidence in his own behalf. We have adopted in the same clause the principle that his wife may also give evidence in his favour, if he gives his consent. Should we go any further than that? I believe not. If an accused person feels innocent and is not afraid of cross examination, let him go into the box and if he does not do so, and does not wish his wife, who was present when the crime was committed, to be examined as a witness, should we prevent the court and the jury from appreciating these facts? You are asked to say that although a man has the right to give evidence and tell all the truth, and does not exercise his privilege, he should not be prejudiced by his failure to do so. I think that is going beyond the protection that a prisoner should have. He has an opportunity of making his statement; let him make it if he can. If he does not dare do that, let the jury appreciate his silence and let the judge charge the jury as he thinks best in the interest of justice. I submit these considerations to the wisdom of the House.

Hon. Mr. SCOTT—In discussing this question yesterday, I assumed that that was a corollary to the clause that we adopted. The witness is subject to examination. I understood it was in the draft bill of last year, and I supposed it was in the amendment moved yesterday. In any of the authorities I have looked up that has been accepted as a necessary corollary. In the discussion on the principle in England, I understood that that accompanied the proposition in all cases.

Hon. Mr. BELLEROSE—I believe that allowing a jury to take into consideration the refusal of the accused or of his wife to give evidence is just as dangerous as forcing the one or the other to be a witness. Why? Because if the prisoner and his wife do not enter the box, then the jury is to appreciate the fact—that is to say, the jury will find in the fact certain evidence against the prisoner. Is not that inducing an accused person and his wife to perjure themselves in order to prevent the jury drawing that inference? Whenever you touch that question you will always find that it leads to immoral legislation. After long experience it has been acknowledged throughout the whole world that the safest, the most Christian and most moral way is to refuse the prisoner and his wife permission to enter the box, otherwise you will produce a state of things that will demoralize the country.

Hon. Mr. ANGERS—Yesterday the principle of allowing the prisoner and his wife to give evidence was accepted by the House. Now, I only ask one thing more—do not go beyond that. If a man who has the right to give evidence does not choose to give it, let him take the consequences. Do not adopt this subsection, which I think is giving the accused a greater protection than he deserves, because if he is innocent he will not fear to enter the box, and if he is guilty and declines to tell the truth, the jury should be in a position to appreciate that fact. However, I leave it to the House.

Hon. Mr. SCOTT—The jury are in a position to appreciate it. This proposed amendment only goes to the extent that counsel shall not comment on the fact. This allows the judge to comment on the fact to the jury, and the jury can draw their own conclusion. It simply prevents the counsel in his address to the jury from saying that the man must be guilty, otherwise he would step forth and be sworn. That is all that it prevents.

Hon. Mr. ANGERS—It is proposed to prevent the counsel for the prosecution from making a comment on the fact to the jury. We all know that jurymen are in nearly all cases laymen Why should you prevent the Crown which, as everybody will acknowledge, has always in this country shown the greatest leniency in dealing with accused persons—why should you prevent the counsel for the Crown making a comment before the jury who cannot, perhaps, appreciate the full force of evidence?

Hon. Mr. KAULBACH—The Crown is bound to make out a case against the prisoner entirely independent of him. I would almost rather see the clause as it was before without the insertion of this amendment as proposed by the hon. member from Halifax. I think, further, that no comment should be made by the counsel or by the judge on the fact that the prisoner does not testify. The objection which I had yesterday still remains. The Bill offers a greater temptation to perjury now than before. If you are to allow counsel to say to the jury that a man was guilty because he did not testify and prove his innocence when he had an opportunity to do it, there is a greater temptation now for a man to go into the box and commit perjury when it is not compellable for him to do so. I wish that somebody else would move an amendment providing that the judge also shall take no notice of the fact that the prisoner did not give evidence. I say it is a premium for perjury, and that you force a man to go into the box and commit perjury to save himself from the inference that would be drawn from his failure to give evidence.

Hon. Mr. DEVER—Evidently the lawyers are determined to destroy this Bill. I cannot perceive the use of allowing a criminal to give evidence in the box, if you destroy that evidence or the inference which is to be gained from it. I hold that if he goes into the box and tells his story, both judge and jury have a right to draw their own inferences: if he can acquit himself, so much the better. If he can explain the circumstances in such a way that the jury could decide that he was innocent, why should he be prevented from doing so? But it is only from hearing the whole of the evidence in such cases that jurymen can draw their conclusions. We did quite enough, in my opinion, to satisfy any reasonable man when we made the alteration in the Bill yesterday, and made it read in such a way that the wife of the accused person could give evidence. I think we will destroy the effect of the Bill and make it perfectly worthless if we adopt this amendment.

Hon. Mr. GOWAN—If I read the amendment of my hon. friend aright, I think that he affirms the principle and also enjoins counsel not to comment. Now, that is a very different provision from the Bill of 1885, which related only to trials before jury in Ontario, or cases tried mostly before the judges alone, and that makes a material difference, because it is not to be supposed that a judge who is trained in these matters and in the performance of the duties, would be influenced by any remark of that kind. I observe in the Bill of 1885 the principle is simply affirmed in relation to trials before a judge, and it reads in this way:—

> In case an accused tried before a jury does not offer himself as a witness, or become a witness on the trial, no observation shall be allowed to be made at the trial, either by the counsel for the prosecution, etc.

Now, there is an essential difference between the amendment proposed by my hon. friend and what was so very ably advocated in 1885. There also seems to be a substantial difference in the principle laid down:—

> The failure of the person charged or the wife of such person to testify shall not create any presumption of the guilt, etc.

At all events, it seems to me to lay down a principle that it shall not create any presumption against the prisoner, and then again, it relates to a trial before a judge without a jury. With reference to the counsel commenting, there is not so much to be said against it, but with reference to laying down the principle that it shall not operate in a certain way, that seems to me to be dangerous. If I understand my hon. friend from Halifax aright, he certainly departed from the principle of the Bill of 1885.

Hon. Mr. MILLER—It must be considered in the first place that the Bill before the House is not an imposition of any kind placed upon the accused, but an additional privilege and liberty which this Bill intends to give him, that is the privilege to an accused person to testify on his own behalf. Now that may be a means of saving his liberty or his life. If we were restricting the present privileges to persons accused of crime in any way, then we should take all proper precaution, such as no doubt my hon. friend has in view in proposing this amendment, to see that checks and guards are thrown about the operation of the law; but as I think we are extending the privileges of an accused person and increasing his chances of acquittal by making him a witness in his own behalf, I do not know that we should impose any restrictions upon him, or give him any privileges which do not exist under similar circumstances under the law which enables a plaintiff or defendant to testify in a Court of Justice. We all know that in a civil suit in Ontario the plaintiff or defendant is a witness in his own case, but if the plantiff or defendant does not go into the box, the counsel are not excluded from asking why he is not put in the box. The defendant's counsel is not excluded from saying "Why was not the Plaintiff put in the box?" and the jury are not excluded from asking why he was not put in the box; he is a party who could speak most pointedly and accurately, and if he refuses to do so it is a proper matter for comment.

Hon. Mr. McKINDSEY—In a civil suit he cannot refuse to give evidence.

Hon. Mr. MILLER—He cannot refuse if he is asked. But if the plaintiff brings a suit, and the evidence of himself is important in relation to that suit, and he declines to go into the box, or if the defendant who might be expected to give material evidence on his own behalf declines to go into the box, it tells against him. Of course the opposing counsel could be put in the box, but lawyers all know that it is a dangerous thing to do, because you make him your own witness, and the least thing that is said against you is doubly as bad as if he were an independent witness; but if the plaintiff or defendant does not go into the box, the counsel can comment upon it, and ask the jury to draw their own inference. I feel some hesitancy about this amendment. I would not make it as general as it is now. It might be amended to include only cases tried before a jury. Many of the civil cases are tried before judges, but perhaps my hon. friend might consent to go so far as to modify the clause to prevent the counsel making comments on cases tried before a judge. If it is the desire of the House or of the committee that it should be so, I should not be prepared to make it as general as it is, and certainly I would not agree to any amendment that would take from the impartial judge sitting on the bench the right of drawing any inferences in a charge to the jury that might be proper under the circumstances. I do not think that would be a wise thing to do.

Hon. Mr. SCOTT—It might be made to apply to the jury. Where the judge presides he has a right to exercise his discretion, but where it is a jury trial, I think it is fair that counsel should comment upon it. I am perfectly willing to leave it that way.

Hon. Mr. ANGERS—The subsection should read "and such failure shall not be made the subject of comment by counsel for the prosecution" and leave out "nor debar the judge from making comment on the refusal or neglect to do so."

Hon. Mr. LOUGHEED—Under that motion it is contemplated the Court would have the right to make any comments. Would the hon. gentleman include the jury?

Hon. Mr. ANGERS—The failure of the person charged, whether the wife or husband of such person, to testify shall not be made the subject of comment by counsel for the prosecution when tried before a jury. Will the hon. gentleman allow the proposed subsection to be amended in this way?

Hon. Mr. POWER—If the hon. gentleman will allow me to make the amendment myself I would prefer it.

Hon. Mr. KAULBACH—I think that is right; whether a judge makes a comment or not he always takes cognizance of that fact.

Hon. Mr. POWER—I think the first part of the provision is perfectly correct. He thinks I should strike that out; I do not think so, because I regard it as a substantial part of the clause. There should be no presumption if the person charged does not go into the box. At present the Crown is obliged to make out its case without any help from the criminal, and we do not propose to assist the Crown very materially in the matter, but if the person charged goes into the box he can be cross-examined and the Crown can have the benefit of a cross-examination. I do not think that if a man or his wife does not go into the box it should create any presumption whatever, and that, I believe, is the feeling of the Senate. I am quite willing to provide that the fact shall not be made a subject of comment by the counsel for the Crown in his address to the jury. As it is now, the judge trying the case has a right to comment on it, but the counsel has not.

Hon. Mr. GOWAN—If I read the amendment right, it is a positive declaration that such and such shall not be done. That surely is not proper. Then my hon. friend contends that it should be confined to trial before a jury and not before a judge.

Hon. Mr. POWER—I am willing to make that provision with respect to the jury, but take the case of a trial before a stipendiary magistrate, or before two country magistrates. These country magistrates are sometimes not very much superior to the men who act as jurors, and I am not at all clear that magistrates should be allowed to draw conclusions from the fact of the prisoner not going into the box. However, I am willing to make the change as regards the jury.

Hon. Mr. KAULBACH—If the change were made, the presumption would be that the prisoner was guilty, which is contrary to the presumption at present; and he would have to prove his innocence.

Hon. Mr. MILLER—He could very easily rebut the presumption by saying he was not guilty. It is his own fault if he does not rebut the presumption; he has it in his power. If he is guilty, and cannot do it, I do not think we should be much troubled about the presumption being against him.

Hon. Mr. KAULBACH—Under the law now he is asked if he is guilty or not guilty.

Hon. Mr. POWER—I make it read in this way—

> The failure of the person charged, or the wife or husband of such person, to testify, shall not create any presumption of the guilt or innocence of the person charged, and such failure shall not be made the subject of comment by the counsel for the prosecution in addressing the jury.

The Committee divided on the amendment which was rejected—Contents 17, Non-contents 28.

Hon. Mr. SCOTT—Moved that the following be added to clause 4:—

> " The failure of the person charged, or the wife or husband of such person, to testify shall not be made the subject of comment by counsel for the prosecution."

The motion was agreed to.

Hon. Mr. ANGERS—I wish to draw the attention of the House to the fact that the Bill as amended establishes a difference between the rules of evidence in Ontario and the rules of evidence under this legislation.

Hon. Mr. MILLER—In civil cases.

Hon. Mr. ANGERS—Yes, in civil cases. This Bill applies not only to criminal law but also to civil law under Dominion Acts. Under the law of Ontario the plaintiff and the defendant and the accused in any case of prosecution for fines, are competent and compellable witnesses. After the report is made to the House, I wish to have the Bill stand for a third reading on Monday next, in order that I may consult with the Department of Justice and ascertain whether it cannot be so amended as to bring it, in civil matters, into harmony with the Ontario law of evidence.

Hon. Mr. MILLER—And the Nova Scotia law.

Hon. Mr. LOUGHEED—I would suggest that a substantive clause providing that this shall apply to all cases except criminal matters would meet the difficulty.

Hon. Mr. MILLER—I think there is no difference of opinion as to the necessity of some amendment to meet the point raised by the hon. Minister of Agriculture, and he has taken the wisest course in postponing the third reading until next week.

Hon. Mr. ANGERS—I wished to give notice to the House of this distinction which perhaps had escaped the attention of hon. members yesterday.

Hon. Mr. HOWLAN, from the Committee reported the Bill with amendments, which were concurred in.

COLUMBIA AND KOOTENAY RAILWAY AND NAVIGATION CO. BILL.

THIRD READING.

Hon. Mr. MACDONALD (B.C.) moved the third reading of Bill (68) "An Act respecting the Columbia and Kootenay Railway and Navigation Company." He said: There is an amendment proposed to this Bill, and I should like to hear an explanation of it so that I may have an opportunity to reply.

Hon. Mr. McINNES (B.C.) moved to strike out all the words after the word "north" in the 16th line to the word "and" in the 19th line in the second section of the Bill. He said:—This Bill passed through its second stage without any explanation whatever. I think that I was not here when it was read the second time: therefore, I may be allowed to make a few remarks on the Bill, and as the hon. gentleman who has charge of it claims the right to reply to what I say, I hope that I shall have a similar privilege if I think it necessary. This Bill asks for powers to build a railway from Nelson and Robson near the international line, north to Revelstoke, a distance of about, as near as I can make out from the maps, 150 miles. It may be a few miles, more or less, than that. It passes through an exceedingly rough, mountainous country, and therefore the road may be considerably longer, or perhaps shorter, than the figures I have given. A charter was granted by the local legislature some years ago, and a portion of the road, I think about twenty-five miles of it, has been built between Nelson and Robson. I am not prepared to say why they have come here to get a Dominion charter. As far as the building of that road is concerned, I may say that I am as strongly in favour of it as any hon. gentleman in this House, or in this country, and my sole object in moving the amendment of which I have given notice, is simply to protect and to promote the interests of that particular portion of British Columbia, which is being fast filled up, owing to the many mining camps and claims that have been discovered there within the last two years. I moved in the Railway Committee, when this Bill was before it, that a certain portion of the second clause should be struck out. I will read the whole clause in order that hon. gentlemen may fully understand how I want the section amended:

> The Company may construct and operate a railway between some point on its present line between Nelson and Robson on the south and Revelstoke on the north, together with such branch or branches as may from time to time be authorized by the Governor in Council, not exceeding in any one case the length of 30 miles.

The words that I wish struck out are "together with such branch or branches as may from time to time be authorized by the Governor in Council, not exceeding in any one case the length of 30 miles." Hon. gentlemen are aware that in the General Railway Act the power of building branches to the extent of six miles is given to railway companies. I refer to the Railway Act of 1886, 49 Vic., chap. 109, sec. 15, subsec. 15:—

> Any Company may construct a branch or branches not exceeding six miles in length from any terminus or station of its railway.

That is the power granted in the General Railway Act, and I am not aware that this Parliament, or any Parliament since 1867, has granted powers such as those asked for in this section, other than that granted to the Canadian Pacific Railway in their original charter. The 14th section of that Act provides:—

> The Company shall have the right from time to time to lay, construct, equip, maintain and work branch lines of a railway from any point or points along the main line of railway to any point or points within the territory of the Dominion.

Apart from the extraordinary privileges and powers granted the Canadian Pacific Railway, I think I am perfectly safe in saying that no such powers as are asked for in this Bill have been granted to any company. In the Railway Committee, some hon. gentlemen thought that an exception ought to be made with respect to this line from the fact that it passed through an exceedingly rough and mountainous section of country, where it was very difficult and very costly to build railways. That is no excuse at all. Why should we depart from the well established principle laid down in the General Railway Act? This House is only too glad to grant charters to any company applying for permission to build roads in any portion of our country, and I claim that if we pass this Bill in its present form it will be establishing a precedent by which any and every company that may be formed in our province, or any other province in the Dominion can consistently come before us and demand the same privileges. Unfortunately, the province of British Columbia, covering an area of over 360,000 square miles, is nearly all of a mountainous nature, and the causes alleged in the committee why these privileges ought to be granted would apply to any and every portion of that vast area of country. As I mentioned a while ago, a great number of gold and silver mines are being discovered in the Kootenay country nearly every month or two. It was alleged by some hon. gentleman in the committee that it would be too long, in case a new mining camp should spring up, to wait until the next meeting of Parliament to enable them to get a Bill through. I do not know of any mining camp, either in Canada, in the United States or in any of the territories of the United States, where they made such rapid developments and the interests were such as to demand the construction of a railway within eight or ten months. I claim that if any such necessity arises in any section along this railway, the company have only to apply to this Parliament for a charter to build branches for thirty, fifty or one hundred miles, if necessary, and it will immediately be granted. Those are the principal reasons why I think the amendment that I have given notice of should be adopted. The object is to prevent other companies being placed at a disadvantage by the passing of this Bill. Supposing, for instance, that a new mine is discovered ten or fifteen or twenty miles from the main line from Nelson to Revelstoke, and there is only one mine—an immensely rich mine, as the most of our mines are—and it is found to be impracticable to build a waggon road owing to the rough character of the country, and the only way by which that mine can be opened and developed properly and made to pay would be by the company owning it building the line, after making the preliminary surveys, giving notice of a Bill and coming before Parliament for legislation, before their Bill could become law, under this Act the Columbia and Kootenay Company can go to work and take advantage of all the labour and expense incurred by the other company, and build it and charge probably twice or three times as much as they should charge for carrying the ore over their line. They would charge probably twice or three times as much as it would cost the local company owning the mine to carry their ore to market. Owing to the very rapid strides in mining in that particular portion of British Columbia, I believe that in the next ten years we will have eight or ten railways coming in there from the south, and probably as many from the north from the Canadian Pacific Railway. However, my sole object is to prevent a monopoly being created and a barrier thrown in the way of other companies who would feel disposed to go in and open up that portion of the country. I therefore move, that all the words after the word "north" in the sixteenth line be struck out down to the word "and" in the nineteenth line.

Hon. Mr. MACDONALD (B.C.)—I am sorry I cannot accept this amendment, and I am surprised and I regret that my hon. friend should think it necessary to bring forward anything of this kind which would retard the progress of the country and hamper the company proposing to build the railway in this very mountainous district. If this amendment carries it might do a great deal of harm to the country and prevent the progress of mining, prevent miners going into that country, and result in great injury to many persons there. The clause which the hon. member objects to is giving the Governor in Council power to allow this company to build certain branches. Surely the matter is perfectly safe in the hands of the Governor in Council, and if this company wish to build branches, it is proper that the Governor in Council should give them that privilege, especially as there is no other Company known that wants to build a line over any portion of this ground. There is no fear that the rights of any other person or Company will be infringed or trenched upon by the privilege now sought. The hon. gentlemen has told the House that the Canadian Pacific Railway have the power to build branch lines in all directions ; well that is a very strong argument in favour of this Bill. If that large company has the power to do those things why should not a smaller company have the power? The smaller and weaker companies ought to have more consideration in this House than powerful corporations. I have no fear that the House will decline to give this power now sought for. Every facility ought to be given to companies that are ready to embark their money in an enterprise of this kind in the Kootenay country. At any time new mines may be developed, and if branch lines are built to those mines, so much the better. Then miners can go in and get their supplies and take out their ore. I hope the House will reject the amendment proposed by the hon. member.

Hon. Mr. KAULBACH—I waited to hear what my hon. friend, who has just spoken, had to say in answer to the remarks of the hon. member from New Westminster. I am largely a free trader in railways. I believe if we leave the Bill as it is now we will be creating a monopoly, because we will give to this one company now the right to go into a sea of mountains, out of which there may be only one pass. There must be great engineering difficulties to contend with in a country like that. These enterprising men may go in there and develop some mines and incur the expense of tracing out a railway line to connect with this, or some other railway, and they may find before they can come to Parliament and get a charter for that purpose, this company coming in and taking the very line they had marked out, depriving them of all the rights they should have in connection with the mines. It is an unusual power to give. In the case of the Canadian Pacific Railway it is a different matter. They can go in any direction, but here there may be only one pass from the mine to a connecting railway, and after these men have gone in there and expended their money to develop their mine, and brought in a population to work their mine, it would be unjust to allow another company to supplant them, as would be possible under the Bill, before they could get their charter.

Hon. Mr. SCOTT—If hon. gentlemen will really take a little trouble to understand the question I do not think there will be a dissentient voice on this matter. In 1889 the British Columbia legislature chartered a company to build a line in this country ; they were unable to raise the capital and in 1890 they came to Parliament and asked leave to be allowed to lease their line to the Canadian Pacific Railway Company. The Canadian Pacific Railway Company obtained a lease of the line under the legislation of this Parliament and they built a road connecting the Arrow Lake and the Kootenay Lake, from what is called Nelson to Robson. It was thought that that would furnish sufficient railway facilities for that country. It was found, however, that these lakes froze up by the month of November and were not open till May ; in the meantime the mining industry was paralysed. This Bill proposes to give power to the Canadian Pacific Railway company practically to build from their main line at Revelstoke down to a point on this road 50 or 100 miles south, connecting the two points. This Bill proposes to give the company power to build branches into the various points where ore is found. At present it is all taken to the United States. There are two American railways that are getting the benefit of it by our not being able to build in that country. One road that runs up to Caldwell, Cobban's Road, from the United States, and the other road, Mr. Hill's Road, connects with the ferry up there. If I were to state the amount of silver going to the United States now, hon. gentlemen would be surprised. There are mines there of marvellous and amazing richness. The report comes from the curator of a museum in British Columbia, and it is an official report, in which he describes twenty or thirty mines of richness, varying from $100 to $1,000 per ton, not only silver and lead, but also gold. Those mines are rich enough now to justify the carrying of the ore down the sides of the mountains in sacks and transporting it to the boundary and into the United States. All the ore goes there. The smelter built at Revelstoke has been idle. I do not know that it has ever done any work. I suppose 95 per cent of the mineral is owned by people from the United States. and the ore all goes to that country. This proposal is to offer facilities to bring the ore north into our own country.

Hon. Mr. McINNES (B.C.)—I am not objecting to that.

Hon. Mr. SCOTT—The hon. gentleman wants the promoters of this Bill to say where they are going to build this branch. It is quite impossible at present for them to say where it would be in their interests to build it. The centre of the most attractive mines has moved about. Two years ago it was at a point called Ainsworth. Then it moved further north to another district. Then it moved further north and north-west to what is called the "Lardeau," and that is considered at present to be the richest mining country on this continent, according to the United States reports. All the ore that is mined there is at present going to the United States. The company would not be justified in building the line from Revelstoke to Nelson unless they have a right to build the branches. As to keeping anybody else out, that is not a very substantial argument, because the country has been open there for some time for people to go in there if they like to do so. The only people who have gone in are from the United States. The British Columbia Legislature is chartering a number of railways—practically giving free trade for all railways to go in. I have in my hand a list of railways for which applications have been made to the British Columbia Legislature for charters. If they can be built they will develop that country, but on our side of the line no Canadian company has been able to undertake the work except the Canadian Pacific Railway Company. They have already taken over two or three railways south of their main line and, if they do not furnish money for the construction of this branch, it is difficult to say where it will be found unless it is provided by the United States capitalists. If charters can be obtained from British Columbia to connect with United States roads the railway facilities can be provided that way. The object of this Bill is to bring the ore from those mines north into our own country Unless the Canadian Pacific Railway Company have the right to build branches wherever they are likely to be profitable, they will not undertake the work. It will be an expensive line to build and there is no money in it without the branches. The territory to be reached lies from ten to thirty miles further east of that.

Hon. Mr. McINNES (B.C.)—The hon. gentleman says the Canadian Pacific Railway Company should not be hampered in building branches wherever they please; if as the hon. gentleman will say this is a Canadian Pacific Railway Company Bill why is it not in their name? If it were in their own name I would withdraw my opposition immediately.

Hon. Mr. SCOTT—I thought I explained that in the first instance. In 1889 this company got a charter from the British Columbia Legislature to build the road. They were unable to carry out the undertaking, and they came to this Parliament for permission to lease their line. It would be a very arbitrary act on the part of the Canadian Pacific Railway Company, when their attention has been drawn to the existence of such an enterprise, if they were to assert their right to build a line there themselves. It would not be very honourable, and it is not the system that the Canadian Pacific Railway Company has pursued. We have here every session applications of this character by companies that the Canadian Pacific Railway Company has assisted by advancing money and afterwards leasing their lines. It is all in the interests of that part of the country, and it would be a very serious mistake if the House were to adopt the amendment. It depends entirely on circumstances that will be developed in the next three months in which direction the road should be built. The distances are from ten to forty miles from the main line to the various points.

Hon. Mr. McCLELAN—As a member of the Committee, I differed somewhat from the hon. gentleman from Ottawa, and I differ from him now as to the objection that was raised. As I understand it, no objection is taken to this road which is virtually a branch of the Canadian Pacific Railway from Revelstoke, fifty miles or so, and there is no objection in the world to giving them every facility to build that line and any branches that the General Railway Act gives them power to construct: the objection taken in the Committee was that an exception should be made in this particular case in favour of a large corporation which is denied to smaller corporations. No other corporation has come to this Parliament and asked for unlimited power to build branches for a distance beyond six miles. That was the objection presented to us in the Committee, and it struck me that no special reason was given for making an exception in favour of this company. No special reason has been given to-day why it should be done. My hon. friend speaks very glowingly of that country, and I am very glad to hear his statement. I believe it is a well-known fact that we have in British Columbia very valuable mines, equal to the silver regions in Nevada and Colorado. It is important that those mines should be developed, but we should be careful not to make exceptions to the General Railway Act, which might restrict the development of the country which some hon. gentlemen speak of promoting. I can quite understand how, in the opening up of a valuable mine, the parties interested in the property should be anxious to procure a railway of their own. What would be their position under this legislation? They will be restricted by the terms of the General Railway Act in the construction of branches, while this company will have the power to construct branches a distance of thirty miles, and they are liable to be headed off by this company under the large powers conferred upon them by this Bill, because no other combination of individuals can possibly proceed with a work of this kind without first coming to Parliament and getting a charter. I think this would tend to restrict operations in that country and embarrass and prevent that enterprise which the hon. gentleman so much wishes to promote. This is the view that I took of the subject in Committee, and I thought it only proper that I should express it here.

Hon. Mr. BOWELL—I have listened with a good deal of attention to the remarks of hon. gentlemen on this subject, and I think if there ever was a case in which almost unlimited power should be given to any railway company to build branch railways it is in the very part of the country in which it is proposed to construct this line. As the leader of the Opposition very properly pointed out, it is a mountainous country. No one knows that better then the hon. gentleman who moved the amendment. I have visited that neighbourhood and have some idea of the character of the country through which this road is to pass, and I know the absolute necessity for building the line. I also am convinced that as mines are discovered in the mountains, greater necessity will arise for giving powers to any railway companies with the money to invest in that section of the country to extend their branches so as to be enabled to carry the freight to Canadian points instead of allowing it to go to the United States. At present there is a great competition on the part of the Northern Pacific Railway Company and what is termed the Great Northern, better known as the "Jim Hill Line." The latter company have pushed their line so rapidly that they now connect with the Kootenay River, run down through the Kootenay lakes by boat into the Nelson District and into the mining country (where the miners get their supplies from the United States) and take the products of those mines back to Montana to be smelted. The Canadian Pacific Railway Company have already built a line running from a place now called Robson, formerly called Sproat's Landing, along the northern bank of the Kootenay River, starting a little north of where it empties into the Columbia and crossing the river about half way between that and Nelson. That was done for the purpose of enabling the miners to obtain their supplies from Canada *via* the Canadian Pacific Railway and the Columbia, instead of through the United States. Since, however, that road was built very rich discoveries have been made about thirty miles still further on. This proposition is to construct another railway from near the foot of Arrow Lake on the Columbia River running in a south easterly direction to tap these mines and to furnish them with supplies, bringing the ore up the Columbia River to Revelstoke and have it smelted in our own country, and by that means heading off, if I may use that expression, the United States roads who own boats on the Kootenay extending their roads from the Kootenay Lakes north-westward in order to tap that section of the country where there is every probability in a very short time that there will be a large population and a great deal of mining wealth developed. That is the proposition before the House to build that road. My hon. friend from New Westminster takes exception to giving this Company the power to build branches running from their line that is now built from Robson through the country until it strikes Nelson in a south-easterly direction. I cannot see any possible objections to that, and when you consider that there is no industry in that section of the country except mining, you may depend upon it no one will put their money into building railways for any other purpose than obtaining the traffic connected with the mines, and whether it be to the Canadian Pacific Railway Company or any other company, I do not think in this particular case that we should hesitate to give them all the power that they require. For this reason, if other rich discoveries of silver, galena or whatever it may be are made, why should they not have the power to run their road in order to supply the miners and to carry out the wealth of the country? I know it may be said, let them come to Parliament and get their powers. I am very much inclined to favour in a great measure the United States system of building railways and let any company build a railroad just where they please. Let them file their plans and have all competition you like. I see this Bill was introduced by Mr. Mara, and I was unaware, until the hon. member from Ottawa stated it, that it was a Canadian Pacific Railway scheme, beyond this—that I learned this company was to build it because they had been seeking aid (and it is one of the companies that should receive aid if any are to be bonused by the Government) and the Canadian Pacific Railway Company agreed to take it over and run it and give them a per centage of the earnings. That is the true position of the case and I hope the House will hesitate before depriving the company of the privilege they ask in the Bill. In that country no possible harm can happen from giving them this power. If it were in Ontario or in the prairie section I would hesitate before giving them the power, but under the circumstances, I would give them all the power and facilities possible to build where they please.

Hon. Mr. MacINNES (Burlington)—I happen to have been in that country and to have travelled over it. I understand that the objections raised to the Bill by the hon. member from New Westminster are on account of the powers they seek to build branches thirty miles long. When I was up there in September last, I was at Arrow Lake, the point mentioned by the leader of the House, from which it is proposed to extend a branch to the mining country. When I was there I heard some very encouraging reports from the mines, and it was considered then that a wagon road would be sufficient to enable the country to be opened up and to give facilities to miners to bring in their supplies, and for the ores to be taken out. Since then greater discoveries have been made, such as have been described by the leader of the Opposition, in the extracts which he has read from newspapers, and a wagon road will not answer the purpose at all now. It is contended that this company could apply to Parliament and get a charter, but that would involve a delay of, as we know, about a year, and it would then be too late, and, besides, granting this power to the railway is the very best thing that can be done for that part of the country. I am very much surprised that any honourable gentleman having the interests of British Columbia at heart should think for a moment of opposing the Bill.

Hon. Mr. POWER—As I understand, there is not the slightest opposition to giving this company power to build the road described in the Bill. The only opposition is to giving them a roving charter to enable them to go over that country and build roads thirty miles long without coming to Parliament for power to do so.

Hon. Mr. SCOTT—Branches.

Hon. Mr. POWER—It is the same thing.

Hon. Mr. MACDONALD (B.C.)—It is a very good thing.

Hon. Mr. POWER—It is, but you may pay a little too much for your whistle. With respect to the prairie country, and any point between Calandar and Port Moody, or possibly Vancouver, the company would have the right to build branches where they please under their charter, but it must be remembered that this mining country is in the province of British Columbia. It is not in the territories. The subject of mining is one which is left to the local legislatures. Companies have already been incorporated by the Legislature of British Columbia, as I understand it, for the purpose of getting into this mining country, and there is an immense amount of wealth to be developed there. Capitalists are prepared to invest their means to develop it, and there is no fear that the roads will not be built. The position which we would create by this Bill has been indicated by the hon. member from Hopewell—we give this company the right to build wherever they please. The Canadian Pacific

Railway Company is a very powerful body. Let us suppose that a local company undertakes to build a road to Lardeau—that is supposed to be the latest and very best of these mining tracts. Suppose one of those companies incorporated by the Legislature of British Columbia undertakes to build a road to Lardeau, the Canadian Pacific Railway Company, under the power which it gets by this Bill, will simply step in and shut the other company out. They will contend that under our legislation they have a stronger claim than any company with a merely provincial charter, and they can come in and head off the local company. We have not to go very far for evidence that the Canadian Pacific Railway Company is capable of doing a thing like that. We have the case of the Ottawa, Arnprior and Parry Sound Railway. That company undertook to build a road between the points indicated by its title. In one place there was only a single pass through which they could go, and when it was understood that they were going that way, the Canadian Pacific Railway Company undertook to anticipate them and prevent them from utilizing that pass. The very same thing may happen in British Columbia. We would be perfectly justified in giving this company, which is the Canadian Pacific Railway Company under another name, the right to build this main line and to build branches to any of the points named. If other discoveries should be made after a year or so, they can come to Parliament and get additional powers, but we are giving them an unfair advantage in competing with other companies. No other company can build a branch more than six miles long without coming here for legislation. We give the Canadian Pacific Railway Company the right to build a branch thirty miles long without coming here. I see considerable objection to that course.

Hon. Mr. McINNES (B.C.)—From the remarks made by the hon. gentleman from Ottawa, he would lead one to suppose—I do not say intentionally—that if the amendment which I proposed became law it would prevent the ores found in that section of the country from going north. Such is not the fact.

Hon. Mr. SCOTT—I do not think the Canadian Pacific Railway Company would build the main line. I do not think they would be justified in building it without the power to build branches.

Hon. Mr. McINNES (B.C.)—I do not know whether the Canadian Pacific Railway Company would be justified in doing that or not. It is evident the Canadian Pacific Railway Company, like other great corporations, know on which side their bread is buttered, and unless it pays them they will not build it. I am as anxious to see those branches built as any one, but I want to see this company go through the same form here that every other company has to do—that is, apply to Parliament, which they can do within nine or ten months, for legislation. If the main line is built from Nelson and Robson to Revelstoke all the earnings from Lardeau and Slocombe districts will find their way to Revelstoke.

Hon. Mr. MacINNES (Burlington)—It will if the branch railways are built.

Hon. Mr. McINNES (B.C.)—I am as much in favour as any one of seeing these branches built—but I want this company to come to Parliament for the right to do so. The hon. gentleman from Burlington expressed surprise that I should propose this amendment; and he said that if I had the interests of British Columbia at heart, I would not do so. I can say without reservation that every move which I have made in this House, has been in the interests of British Columbia, but I am not so very sure, when I hear the melodious voice of my honourable namesake advocating a measure of this kind, that he has the interests of the country always in view. If the interests of British Columbia are as near his heart as they are to mine, I can assure him that he will be regarded by the country more as a representative of the people in Parliament than of any corporation or body.

The Senate divided on the amendment which was rejected by the following vote:—

CONTENTS:

Hon. Messrs.

Bellerose,
Boulton,
Chaffers,
Dever,
Kaulbach,
Lewin,
McCallum,
McClelan,
McDonald (B.C.),
McInnes (Victoria),
Macdonald (P.E.I.),
Merner,
Poirier,
Power,
Prowse,
Reesor,
Reid (Cariboo).—17.

NON-CONTENTS:

Hon. Messrs.

Allan,
Almon,
Angers,
Botsford,
Boucherville de,
Bowell,
Boyd,
Casgrain,
Clemow,
Dickey,
Dobson,
Flint,
Gowan,
McKay,
McKindsey,
Macdonald (Victoria),
Macfarlane,
MacInnes (Burlington),
Miller,
Montgomery,
Primrose,
Read (Quinté),
Robitaille,
Scott,
Smith,
Sutherland,
Vidal.—27.

The Bill was then read the third time and passed.

THIRD READING.

Bill (24) "An Act further to amend the Supreme and Exchequer Courts Act," passed through Committee of the Whole, was read the third time and passed.

SECOND READINGS.

Bill (45) "An Act to incorporate the Cleveland, Port Stanley and London Transportation and Railway Company, and to confirm an agreement respecting the London and Port Stanley Railway." (Mr. Lougheed.)

Bill (54) "An Act to incorporate the Alberta Irrigation Company." (Mr. Lougheed.)

Bill (35) "An Act to incorporate the Calgary Irrigation Company." (Mr. Lougheed.)

NELSON AND FORT SHEPPARD RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. REID (B.C.) moved the second reading of Bill (89) "An Act respecting the Nelson and Fort Sheppard Railway Company." He said:—This company has obtained a charter from the Provincial Government to build a line of railway from a point near Nelson on the Kootenay Lake to a point near Fort Sheppard, but thinking that they would be in a better position by obtainng a charter from this House, they have come here.

The motion was agreed to.

CANADA CARRIAGE COMPANY'S BILL.

THIRD READING.

Hon. Mr. MACDONALD (B.C.) moved the adoption of the report of the Select Committee on Standing Orders and Private Bills *re* Bill (59) "An Act to incorporate the Canada Carriage Company."

Hon. Mr. KAULBACH—When this matter came up the other day, at my suggestion the hon. gentleman postponed the consideration of the report. I considered the objects and purposes of the Bill too extensive and that the power for preferential dividends and priority of preference, etc., were extraordinary and not usually granted to companies. Since then I find that this Company have obtained powers under two charters from provincial governments and that they intend to work under this charter instead of the others. As they have the powers granted to them in the province of Ontario already, I do not see why I should object to the report of the Committee.

The motion was agreed to.

Hon. Mr. READ (Quinté) moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time and passed.

GENERAL INSPECTION ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (V) "An Act further to amend the General Inspection Act." He said:—This Bill is simple in its character. It is to change the mode of inspection of apples which are packed in barrels. In the Bill as it stands upon the Statute-book, the clause reads as follows:—

> No. 1 inspected Canadian apples shall consist of perfect specimens of one variety of uniform size, and in the case of a coloured variety of fairly uniform colour, and shall be free from scabs, worm holes, knots and blemishes of any kind.

The second subsection refers to No. 2 apples:—

> No. 2 inspected Canadian apples shall consist of specimens of one variety, free from scab, worm holes, knots and blemishes of any kind but not of uniform size and colour.

Those who are engaged in this trade represented to the Department of Inland Revenue, under whose management the Inspection Act is, that it was impossible to comply with this law, and the proposed amendment is to read as follows :—

> No. 1 inspected Canadian apples shall consist of well-grown specimens—specimens of the variety named, instead of one variety—of nearly uniform size, free from scab, worm holes and bruises and properly packed.

Section No. 2 reads as follows ;—

> Inspected Canadian apples shall consist of specimens not entirely free (leaving out the words "of one variety,") from defects mentioned in clause No. 1, but which on account of inequality, or their lack of colour, or other defects, could not be included in that class.

That is, they could not be included in class No. 1. I think that the amendment was suggested by the Fruit Growers' Association, and the proposition is to make the Inspection Act workable, as it is not workable at the present time.

Hon. Mr. REESOR—Have any other changes have been made in the Bill?

Hon. Mr. BOWELL—No other change than those which I have said.

Hon. Mr. POWER—I do not rise to oppose the Bill. Our object should be to have the law with respect to the inspection of Canadian apples in the most effective form which is practicable, and it appears from the statement made by the hon. Minister that in the form in which we passed the provision last year it was not practicable. I wish to call the attention of the Minister to certain defects which present themselves in the wording of the Bill before us, with the hope that the Minister will give the suggestions consideration between this time and the time when the House goes into Committee on the Bill. The first subsection of the clause proposed to be enacted is decidedly an improvement upon the existing law, which provided that the specimens should be perfect. We cannot expect perfect apples any more than perfect Bills. The words "nearly uniform size" are an improvement on the words in the previous Act "of uniform size" and in case of a coloured variety "a fairly uniform colour." I think, however, that the latter part of the clause will require some amendment. The Act on the Statute-book says "shall be free from scab, worm-holes, knots and blemishes of any kind;" this Bill provides they shall be "free from scabs, worm-holes and bruises and properly packed." I do not profess to be a judge of apples, but I think that knots are an objectionable feature in apples claimed to be first class, and the expression "blemishes of any kind" is decidedly better than the language in the Bill now before us. For instance, an apple which has begun to decay would not come under the provisions of this Bill. Then, as to the second quality of Canadian apples, I really think under the Bill we are now passing no apple could be so bad that it would not meet the requirements of that sub-clause 2. I would suggest to the Minister that some amendment should be made in that clause. I do not think we should give the stamp of Canadian authority to fruit which is not at any rate fairly good.

Hon. Mr. ALMON—The Act of last session struck me as very unworkable. I understood five barrels per hundred were to be examined, and the examiner was to get 5 cents per barrel. Now, it is not to be supposed that a farmer who examines these apples is going to make an enemy of his neighbour whom he meets every day, for 5 cents a barrel. Then, again, it is a difficult thing to examine a barrel of apples. If you empty them out you will find it impossible to get all the apples into the barrel again, owing to their having settled. I think the proper way would be to stamp on the barrel the name of the farmer raising the apples, and the county where they were raised. We think Nova Scotia apples are far superior to apples from any other part of Canada, and therefore if they were branded as Nova Scotia apples, and the name of the farmer put on the barrel, it would save this expense. If they are shipped to Liverpool, or any other market, and they turn out to be bad, it will become known to the trade, and the man who sends such apples is not likely to get more orders.

Hon. Mr. KAULBACH—I think Nova Scotia is advancing most rapidly and is a very flourishing district as far as apples are concerned, and hon. gentlemen would be surprised at the rivalry existing among apple growers to export the best goods. They are in favour of the Inspection Law as it is now. The classification, however, seems to be defective. But if the fruit growers have suggested that this should be the standard of No. 1, I shall certainly make no objections; otherwise the point raised by my hon. friend from Halifax seems to be reasonable. This is a great industry in Nova Scotia. They are beginning to raise good fruit and are anxious, as far as possible, that the character of their fruit should not be depreciated for want of proper inspection in the market in England where it is sold. The inspection law we had last year was favoured by the Apple Growers' Association in our counties, and if they approve of this present classification I have no objection ; otherwise I think it is defective.

Hon. Mr. REESOR—This Bill should be gone into very carefully in the Committee of the whole. It would be necessary, if any amendments are contemplated, to go into Committee at a future day so as to give parties a chance to prepare their amendments. I have read several of the reports of the Fruit Growers' Association, and I read the Pomological Journal, and I see that very few apples are inspected. In fact, I do not know of any inspected last year. They regard the law as perfectly unworkable from the very fact that it states that apples should be perfect ; and you cannot get a barrel of perfect apples. If it was expressed on the barrel as the statute requires, the shipper would run the risk of having them thrown back on his hands. Another objection is the great expense of inspection, which costs about $20 a cargo. Bruising necessarily occurs in the shipping ; the apples must be bruised a little when you are pressing the head of the barrel, to pack them properly, and it is impossible to guard against that. I have a great deal of confidence in what the fruit growers reported, and if what has been read is the result of the fruit growers meeting, I would like to see the Bill printed and distributed and have a chance to say a little more about it. I know such a Bill is necessary.

Hon. Mr. BOWELL—The Bill is printed and distributed and was framed at the instance of the parties representing the Fruit Growers' Association. I will call their attention to the suggestions which have been made by the hon. gentleman from Halifax, so that when we go into Committee we can consider it fully. The only object is to make the Bill as workable as possible.

The motion was agreed to, and the Bill was read the second time.

NORTH-WEST TERRITORIES ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (T) " An Act to amend the North-west Territories Act."

In the Committee.

Hon. Mr. POWER—As far as one can gather from this Bill, it provides for the case of the Governor in Council issuing a proclamation doing away with trial by jury in the North-west Territories, and it may be that I am mistaken about it. I should like to have some explanation.

Hon. Mr. LOUGHEED—If my hon. friend will permit me to reply to the observation which he has made I would say that under Ordinance Sixty of 1888 of the North-west Legislature, in anticipation of the repeal of the two clauses referred to in this Act, namely, sections 71 and 88, there is provided a very much more elaborate jury system than heretofore prevailed. Under the North-west Territories Act there is no provision sufficiently elaborate for the summoning of jurors, and in anticipation of the repeal of those two clauses this ordinance has been passed ; you will find it in the revised ordinances of the Territories. It is a statute very similar to that which obtains in the various provinces of the Dominion, and at the end of thatordinance there is a clause providing that it only shall come into force and take effect immediately after the repeal of sections 71 and 88 of the North-west Territories Act. So that power is now asked by the Governor in Council to repeal those sections. Upon the repeal of these two sections the jury system so provided for by the North-west Assembly, will come into operation.

Hon. Mr. ANGERS—Instead of wishing to do away with trial by jury it is to perfect the system by getting power to withdraw the section of the law in the North-west Territories Act which applies to this subject, and to be in a position to put into force the legislation adopted by the Territories.

Hon. Mr. POWER—After the explanation made by the hon. gentleman I have no further objection to the Bill.

Hon. Mr. MacINNES (Burlington), from the Committee, reported the Bill without amendments.

Hon. Mr. ANGERS moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time and passed.

CANADIAN LIVE STOCK ASSOCIATION BILL.

THIRD READING.

Hon. Mr. ALLAN, from the Committee on Banking and Commerce, reported Bill (Q) "An Act to incorporate the Canadian Live Stock Association." He said:—These amendments appear rather voluminous, but they are of the same character and in one direction. It is a Bill introduced to incorporate a Company called the Canadian Live Stock Insurance Company. As the Bill was presented to the House, and as it came before the Committee, the capital stock was fixed at only $50,000, and they were allowed to go into the transaction of business and operation on only paying ten per cent upon that amount of capital stock. When the Bill was submitted to the Insurance Branch of the Finance Department, this was strongly objected to, inasmuch as this kind of insurance is exceedingly risky, and it was thought very inadvisable that a company should be allowed to go into operation on so small a capital and with so small an amount paid up. The Committee therefore amended the Bill, making the capital stock of the company, $100,000 instead of $50,000, and obliging them to have fifty per cent paid up upon it before they availed themselves of the privilege in the next paragraph of further increasing their capital stock to $100,000. That is the main amendment. Then it makes it obligatory upon the company that $25,000 of the capital stock be paid up in cash into a chartered bank in Canada to the credit of the company, which amount shall not be withdrawn except for the purposes of the company. Then they are allowed to go into business. Then the other amendment was in the insertion of a clause, which is in all these Bills, giving them the power to take real estate in satisfaction of any debt or judgment, but obliging them, as in the case of all their Bills, to sell the property within thirty years, or otherwise it reverts to the owner. These are really the amendments; it is in the direction of strengthening the company in having a sufficient amount paid up.

Hon. Mr. ALMON moved concurrence in the amendments. He said:—I am afraid this might hamper the commissioners—the story of there being no disease among cattle in Canada. I think the small capital shows the cattle are in a very healthy state.

The motion was agreed to and the Bill was read the third time and passed.

BILLS INTRODUCED.

Bill (80) "An Act respecting the Temiscouata Railway Company." (Mr. Pelletier.)

Bill (56) "An Act to incorporate the Calgary Hydraulic Company." (Mr. Lougheed.)

Bill (78) "An Act respecting the British America Assurance Company." (Mr. Allan.)

Bill (47) "An Act respecting the London and Port Stanley Railway Company." (Mr. Lougheed.)

EASTERN CANADA SAVINGS COMPANY BILL.

FIRST AND SECOND READINGS.

A message was received from the House of Commons with Bill (98) "An Act to amend the Act to incorporate the Eastern Canada Savings and Loan Company (Limited.)"

The Bill was read the first time.

Hon. Mr. POWER. The solicitor who has been in charge of this Bill has been in Ottawa, since its introduction in the other House, at great expense and inconvenience, one thousand miles from home, and as the Bill is merely to correct a clerical error in the Act, I presume there will be no objection to pushing it through to-day. I move that the 41st rule be dispensed with as far as this Bill is concerned.

The motion was agreed to.

Hon. Mr. POWER moved the second reading of the Bill.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned at 6.15.

THE SENATE.

Ottawa, Monday, March 27th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THE ANNEXATION OF THE HAWAIIAN ISLANDS.

INQUIRY.

Hon. Mr. BOULTON inquired:

Whether it was the intention of the Government to take any official action to represent the interests of Canada in the maintenance of the independence of the Hawaiian Islands, and to communicate their views on the subject to the Imperial Government through the proper medium of official communication, His Excellency the Governor-General?

I do not propose to recapitulate the arguments that I advanced when this subject was before the House on a recent occasion, but the day following the asking of that question a reply was given by the hon. leader of the House in the organs of the Government—the Toronto *Empire* and the *Daily Citizen*. I looked upon that as an official communication to the people of the country as to what the intentions of the Government at the time were on the question. I will read what appeared in the Ottawa *Citizen* of the 18th instant, as a reply of the Government to the question:—

> Hon. Mackenzie Bowell said that in reference to recent events no communication had taken place between the British and Canadian Governments, but correspondence had previously been exchanged on the subject of a landing station at Hawaii for a cable between British Columbia and Australia. He had no doubt if Hawaii were annexed by the United States that Great Britain would take care that Imperial and Canadian interests were duly protected. He did not think the diplomats of the Mother Country had lost their cunning in this respect. He quite agreed with Senator Power that Great Britain had acted wisely in refraining from taking any official notice of the annexation movement. Had any other course been adopted it would have spurred ex-President Harrison to have carried out the wishes of the agitators before his administration were out of office.

Now the reply that the hon. leader of the Government gave in the House, as appears by the Debates, was as follows:—

> I shall however not fail to forward through our High Commissioner a copy of the debate which has taken place here to-day.

The notice that appears in the official organ leads me to suppose that even to the extent of sending a copy of the debate home to the High Commissioner, the hon. leader has changed his mind, because no mention of it is made in the official announcement through the Government organs, which is always supposed to be a semi-official announcement. Now I think that the question is of sufficient importance to receive official attention. There are two propositions that I advanced on the last occasion that I had the honour of addressing the House. One is that, where the interests of Canada are concerned, we have the right to represent to the Imperial Government how far our interests are threatened or advanced by any certain or uncertain action, and there is a channel of communication between the Imperial Government and the Canadian Government, which is the Governor General, and that it is wise for us to assert our right in order to represent our interests. Then again there is also the interest we possess in seeing as far as we possibly can that the independence of those islands should be maintained in order that we may have a friendly port of call in developing our trade with Australia. I asked this question in the hopes that the Government would see that it was to the advantage of the country to represent in official form the interests that Canada has in the maintenance of the independence of those islands.

Hon. Mr. BOWELL—I am somewhat surprised that the hon. gentleman should take it for granted that because an announcement is not made through a newspaper in the city of Ottawa, or any other city of the Dominion, that therefore the Government has not taken action or had taken action upon any question. The article read by the hon. gentleman is, I think, a report of the proceedings of this Chamber and not an official announcement, not even an editorial. I should like the House and the country to understand that every article that appears in a newspaper that supports the Government is not to be accepted as an official announcement from the Government of its policy. If that were the case, there is scarcely an hon. gentleman present who would not be rising every day and saying that he did not see such and such a thing in the newspapers supporting the Government, and, therefore, that the Government is remiss in its duty on important questions affecting the general interest of the Dominion. I make this statement, being somewhat surprised that my hon. friend, with his experience, should have adopted the course that he has pursued in reference to this question. I do not, however, complain of his asking the question a second time and I can assure him that whenever the Dominion Government deem it in the interest of Canada that representation should be made to the Imperial Government on this or any matter that affects the general interest of the Empire, and more particularly of the Dominion of Canada, they will not hesitate to do their duty. Copies of the report of the debate will be sent, not only to the High Commissioner, but also to the Imperial authorities in order that they may know what are the views of gentlemen occupying prominent positions in this country in reference to this question.

WITNESSES AND EVIDENCE BILL.

THIRD READING.

Hon. Mr. ANGERS moved the third reading of Bill (23) "An Act respecting Witnesses and Evidence."

He said :—I have given some attention to the Bill respecting Witnesses and Evidence since it has been amended, and I really think that the improvements that we have made are not very great. I would ask the House to go back to the clause as it first appeared in the Bill when it came to us from the House below, by taking out the word "compellable" and adding that, in case the person accused does not volunteer evidence, there should be no comment made upon it by the counsel before the jury, we would have, perhaps, a more acceptable Bill and one that would tend more to the ends of justice. Before moving the third reading of the Bill or asking that it be recommitted to a Committee of the Whole, I would like to know the opinions of those who have discussed the Bill or of any hon. gentlemen in the House who wish to take part in the debate. I shall follow the opinion of the House without expressing my own, but I think the suggestion that I have made is one that will commend itself to the attention of the House.

Hon. Mr. SCOTT—My suggestion was that the accused should not be a compellable witness and that his omission to go into the box should not be made the subject of comment by the counsel for the Crown. So far as presumptions go, of course we cannot prevent them, because the jury and every body else will have their own views and therefore whether we insert those words or not, to my mind it makes very little difference—the presumption will be raised necessarily and naturally. Still, I think it very unfair that the Crown counsel should comment upon it.

Hon. Mr. ANGERS—Before moving the third reading of the Bill, I move that it be further amended by substituting clause twenty-four as it was in the Bill when brought up in the House of Commons, taking out the word "compellable" in the third line of that clause and inserting the words "failure of the persons charged or of the wife or of the husband of such person testifying, shall not be made the subject of comment by the counsel for the prosecution in addressing the jury."

Hon. Mr. POWER—I am not going to quarrel with this, but there is one point to which I desire to direct the attention of the Committee, particularly the Minister in charge of the Bill. If hon. gentlemen look at the proviso in the short form of the Bill as it was introduced, they will see that it is as follows :—

> Provided, however, that no husband shall be competent to disclose any communications made to him by his wife during their marriage; and no wife shall be competent to disclose any communication made to her by her husband during their marriage.

Hon. Mr. ANGERS—That remains.

Hon. Mr. POWER—I do not think it should remain. In conversation with one of the officers of the House of Commons, he said he was under the impression that the House of Commons had made a mistake in putting the word "competent" there. You see the husband need not go on the stand unless he likes, and the wife need not go on the stand unless she likes, but having taken the stand, I do not see that there is any reason why, if the husband chooses or if the wife chooses, that communications made during marriage should not be disclosed, because it might be that these communications would be to the advantage of the accused. I am not going to move any amendment, but it seems to me doubtful whether it is wise to pass the clause as it stands.

Hon. Mr. ANGERS—I would draw the hon. gentleman's attention to the fact that that would not be evidence at all; it would be hearsay and, legally speaking, would amount to nothing.

Hon. Mr. POWER—Then the proviso is not necessary.

Hon. Mr. ANGERS—The failure of the person charged, or of the wife or husband of such person, to testify shall not be made the subject of comment by counsel.

Hon. Mr. LOUGHEED—In the draft of the Bill which came to us from the Commons the word "compellabie" appears instead of "competent." It appears to me that the word "compellable" would be better suited in this particular place than the word "competent," inasmuch as it might be to the advantage of the accused that the statement made by the wife to the husband, or by the husband to the wife should be disclosed in evidence. I am, therefore, of the opinion that we should strike out the word "competent" and re-insert the word "compellable," which formerly appeared there. The statement disclosed by the wife to the husband need not necessarily be hearsay; for instance, it may be an admission which would be direct evidence, and which would be admitted. Therefore I am strongly in favour of retaining the last four lines of the clause, but inserting the word "compellable" instead of "competent." I would move that that word be inserted.

Hon. Mr. POWER—The point is this, that neither husband nor wife is compellable to give evidence, and therefore the proviso is unnecessary.

Hon. Mr. LOUGHEED—If it seemed desirable to the accused that the disclosures should be made, that cannot possibly be done under the present phraseology of the clause. Now, it may be in the interest of justice that that disclosure should be made in favour of the accused, and if a statement has been made by one to the other, there is no good reason why it should be inadmissable if it would serve the interests of justice that that disclosure should be made; whereas under the present clause it could not be admitted.

Hon. Mr. VIDAL—It strikes me that the motion before us is not strictly in order. By our record the committee of the whole were considering this Bill, and certain amendments were proposed by that committee, reported to the House and concurred in by the House and that Bill in its amended form was adopted by the House. Now any motion must be to rescind the action of the committee.

Hon. Mr. ANGERS—It is to make an amendment by striking out that word.

Hon. Mr. VIDAL—It will not harmonize with what the House has adopted.

Hon. Mr. ANGERS—No doubt the present action does not accord with the action of the House taken the other day. I submitted to the House that it was desirable that we should go back and try and make the Bill as perfect as we could by making the clause read in this way:—

> Provided further that no husband shall be compellable to disclose any communication made to him by his wife during their marriage, and no wife shall be compellable to disclose any communication made to her by her husband during their marriage.

Hon. Mr. VIDAL—It might be interesting to hon. gentlemen, in connection with this matter, to read what has recently occurred in the House of Lords. The Lord Chancellor moved the second reading of a Bill to enable prisoners, or their wives, or their husbands, as the case might be, to give evidence on their own behalf. That Bill was read the second time.

Hon. Mr. ANGERS—The Bill before us has gone through the House of Lords twice and was rejected in the Commons, and as the hon. gentleman says, there is now a Bill before the House of Lords, a copy of which as first introduced by the Lord Chancellor, we had when we discussed it the other day

Hon. Mr. KAULBACH—That paragraph in the paper, to which the hon. gentleman from Sarnia has alluded, if I understood it aright, does not say he will be a compellable witness.

Hon. Mr. VIDAL—No.

Hon. Mr. KAULBACH—My hon. friend has moved to insert not compellable instead of not competent. I cannot say that I am very much opposed to the amendment, but it may operate very injuriously to a husband or wife if their relations to each other are not cordial. In that case, if either is allowed to give evidence contrary to the wishes of the other, it might lead to discord. Supposing the wife wishes to get rid of her husband, she might avail herself of the opportunity to go into the box and state what was told to her in confidence by her husband during the marriage. It may have that effect.

Hon. Mr. POWER—I do not think I could have made myself clear to the Committee while speaking a moment ago, and I shall try to do so now. I am supposing now that we adopt the suggestion made by the hon. Minister. We then pass clause 4 in this form :—

> Every person charged with an offence and the wife or husband as the case may be, of the person so charged shall be a competent witness, &c.

I think that the clause is complete in itself. You cannot compel a wife to disclose communications which have passed between her and her husband during the marriage, because she is not compellable to go on the stand at all, and the same with the husband—you cannot compel him to go on the stand, and of course you cannot compel him to make disclosures. We find that in Australia, where they pass an act similar to the one now before us, the clause is worded in this way :—

> Every person accused of an indictable offence and the wife or husband, as the case may be, of every such person, shall be a competent on his or her behalf but shall not be a compellable witness without his or her consent.

The Minister has within his reach the Bill now before the House of Lords, and the safest way would be to take that Bill, which has been carefully considered and has been passed time and again by one or the other of the English Houses. If we follow the exact language of that Bill we shall be perfectly safe. It would be better to do so than to try to frame something of our own here.

Hon. Mr. ANGERS—The hon. member from Halifax says that when the witness is in the box it is not necessary to protect that witness from repeating any communication that may have passed between them during the marriage. The wife may be willing to do so, and that is why the proviso is put here. I think it is better to make it that she cannot be forced to give evidence, than to say that she shall not be competent. The hon. member from Calgary has mentioned that it may be of interest to the accused that she should. I think that the suggestion is a good one in the interest of the accused, and therefore by adding the word "compellable" it is sufficient.

Hon. Mr. KAULBACH—I am not very much attached to my own opinion in the matter, only it is not always the one way—it may be that the wife or the husband may be desirous of giving evidence adverse to the party accused. There may be such cases—I do not suppose they will often occur.

Hon. Mr. DICKEY—There is some misapprehension with regard to the policy of the law which excluded the wife under the former Bill, or the husband, from giving evidence to one against the other, of conversations between them and that that exclusion is only carrying out the substance of the present law. Those communications between husband and wife are of a privileged character, and the policy of the law went a great deal further than has yet been adverted to. The policy rested on this—that it was not in the interest of domestic life, or the relations between husband and wife, that either should be allowed to give evidence of those communications between them—not that it should be a question whether they should be compelled to do so, but it was the policy of the law that they should not be allowed to do so, and therefore the Bill is perfectly right in its present form, that it should not be competent for either to do so. Otherwise you are reduced to this singular absurdity, that while you have now said that the husband, or the wife, is not to be a compellable witness, yet if they choose to come in the wife may, for the purposes of justice, be competent though not compellable, to give evidence of communications from the husband admitting his guilt. The Bill as it came to us was consistent, because although that Bill made the wife a compellable witness, it protected her in the interest of public policy and domestic peace, that she should not be allowed to give evidence of communications between the husband and the wife, those communications being strictly of a privileged character. Therefore, I think it would be better if the Minister would adhere to the wording of that part of his clause—that neither of them should be competent. Otherwise, where is the peace of that family after the trial is over? All those considerations lie at the root of this, which has been the rule of evidence as long as we have had any such rules, that these communications are privileged and that neither party is at liberty to give evidence of them. Now we are asked to say that the wife shall not only be competent, but shall be compellable.

Hon. Mr. KAULBACH—Could not the difficulty be got over in this way—that the evidence could be given with the consent of the accused party? That would not interfere with the relationship between husband and wife. If either is satisfied that the other should give evidence, permission should be given to so do. That would meet the difficulty as to the privileged character of the communication, and I think the Bill should be amended in that direction.

Hon. Mr. POWER—If the proviso is to remain, it had better remain in the shape in which the Minister proposes to put it. The effect of this clause is that the wife shall not be compelled to come in and give evidence hostile to her husband. If she chooses to come in, she shows what her feeling is, and you cannot stop at communications. The amendment suggested by the Minister is in the right direction. It might be wiser and safer to get the exact wording of the clause in the English Bill.

Hon. Mr. HOWLAN—The Bill was amended in Committee and reported as amended, and we are now about to read it a third time as amended. If it is proposed to further amend the Bill, it should be recommitted to a committee of the whole House.

Hon. Mr. GOWAN—The House decidedly pronounced against making a husband or a wife be a compellable witness; that has been accepted by the Minister, and it is now merely proposed to alter the drafting so as to more clearly express the decision of the House. The Bill as it stands makes it permissive, and the object of the amendment is to more effectually carry out the wish of the House.

Hon. Mr. VIDAL—I do not seem to have been understood. It is not the principle of the Bill to which I object, my object is merely to keep our proceedings in a regular and proper form. As I understand the motion, it is first to strike out the word "compellable."

Hon. Mr. ANGERS—The motion is to substitute a clause for the present one—a clause omitting the word "compellable."

Hon. Mr. VIDAL—If the present Bill is to be altered, the motion must be to strike out the three clauses which we inserted in it.

Hon. Mr. McKAY—The House has already adopted the amendment.

Hon. Mr. BELLEROSE—As I understand the rule of the House, if the amendment is a very important one notice must be given that it will be proposed at the third reading.

Hon. Mr. SCOTT—Not in the case of a public bill.

Hon. Mr. BELLEROSE—Then the Bill has to be re-committed if the amendment is an important one.

Hon. Mr. LOUGHEED—In as much as the House appears to be unanimous with regard to the principle of the Bill and some divergence of opinion exists concerning the mode of expressing the decision of the House, would it not be better to re-commit the Bill to a small Committee to propose a clause which would meet the case?

Hon. Mr. ANGERS—If there is any opposition to amend the Bill on the third reading, I am willing to recommit the Bill to a Committee of the Whole House for consideration of the amendments which I have proposed. The amendment is to withdraw the first section of clause four and substitute one I had read to the House—keeping the subsection which was adopted as part of clause four to prevent comment on the failure to give evidence. The proviso is as follows:—

> Provided, however, that no husband shall be compellable to disclose any communication made to him by his wife during their marriage, and no wife shall be compellable to disclose any communication made to her by her husband during their marriage.

The subsection is as follows:—

> The failure of the person charged, or of the wife, or of the husband, of such person to testify,

shall not be made the subject of comment by counsel for the prosecution in addressing the jury.

Hon. Mr. ALLAN—What becomes of the two subsections *a* and *b*? Do they remain?

Hon. Mr. ANGERS—No, the schedule drops out, and the subsection which I have just read remains as a portion of my amendment.

The motion was agreed to.

Hon. Mr. ANGERS—I have another amendment to propose in the fifth line of the 27th clause, after "commissioner" add "or any other person authorized to take affidavits."

Hon. Mr. GOWAN—That would entirely meet my objection.

Hon. Mr. ANGERS—I also propose to change the letters which are mentioned in that clause as referring to schedules *a* and *b*, those having disappeared.

The amendment was adopted.

Hon. Mr. ANGERS moved the third reading of the Bill.

Hon. Mr. LOUGHEED—Is the hon. gentleman going to introduce the clause with regard to civil cases?

Hon. Mr. ANGERS—I find that it is impossible to shape the Bill in its present form to assimilate the laws of the Ontario and the Dominion. The Bill has come from the Lower House: it would not be the same Bill at all if an amendment were made as suggested. The proper way to have dealt with the matter would have been to introduce two Bills, one referring specially to the criminal law, in which the principle adopted by this House does not go as far as the principle adopted by the Lower House, and another Bill referring to the civil law, where both Houses agreed; but in its present shape it is impossible to amend the Bill in any way to go as far in civil matter as the laws of Ontario and the Maritime provinces go. Therefore, for the present, the Bill should remain as it is, the rules of evidence in Dominion matters being more restricted in civil cases than the rules of evidence in provincial matters.

Hon. Mr. DICKEY—Does the hon. gentleman contend that we have the right to legislate on the rules of evidence in civil cases?

Hon. Mr. ANGERS—We have no power to legislate in civil matters which come under the jurisdiction of the Local Legislatures exclusively, but in matters concerning which this House has special jurisdiction, we have a right to say what shall be the law of evidence—that is, we pass laws relative to Corporations, and if we have that right we have the right to legislate in relation to the evidence upon that law—that is the contention. In this Bill we have adopted that principle and it has never been disputed yet, but of course we have no jurisdiction in the matter of laws relative to evidence in cases which have been reserved exclusively to the jurisdiction of the Local Legislature.

Hon. Mr. DICKEY—That is property and civil rights?

Hon. Mr. ANGERS—Certainly.

Hon. Mr. LOUGHEED—The reason I have given some little attention to this matter is owing to the fact that the North-west Territories Act is very peculiarly framed in respect to the jurisdiction of the North-west Assembly, and everything done by the North-west Assembly is made subject to any legislation which may have been enacted by the Dominion Parliament. Hence, I can conceive a very great conflict immediately arising when this Act is passed in reference to evidence in civil cases in the North-west Territories. The question will be at once raised that the Dominion Parliament has legislated in relation to evidence in civil matters, thereby depriving the legislature of the North-west Territories of its right to legislate in a similar direction. The law of England is the law of evidence in the Territories to-day, but as we have expressly legislated upon the law of evidence in civil matters, the question will be raised that we have ousted the law of evidence of the local legislature as well as the English law of evidence.

Hon. Mr. DICKEY—What would be the result in the provinces?

Hon. Mr. LOUGHEED—They would be different, because exclusive jurisdiction is given to the provinces to legislate in this matter, whereas in the Territories everything is done subject to the legislation which is passed by this Parliament, and therefore, I would point out to my hon. friend the difficulty that confronts us at once in matters of evidence relating to civil jurisdiction in the Territories. I think it would have been very much better if at this stage of the Bill it had been made only applicable to criminal procedure.

Hon. Mr. ANGERS—I wish to draw the attention of the hon. member to the second clause, which I hope is not an infringement upon the attributes of the Legislature of the Territories. It reads as follows:—

> This Act shall apply to all criminal proceedings and to all civil proceedings and other matters whatsoever respecting which the Parliament of Canada has jurisdiction in this behalf.

That would limit its effect to the Acts that the Parliament of Canada passes and would not extend the rule against the legislation adopted by the North-west Territories. That was not my great objection to the Bill. My great objection was that we were not going as far in civil cases as they had gone in Ontario, but in the present state of the Bill, it not having originated in this House, I did not see any mode of reaching the object in view without introducing another Bill. The proper way to deal with it, I believe, would be to make two bills, one for civil cases and one for criminal cases.

Hon. Mr. LOUGHEED—I say this will cast a cloud at once upon the law of evidence as it at present prevails in the North-west Territories, owing to the peculiar clause in the North-west Territories Act, which provides that all legislation passed by the North-west Assembly is subject to Dominion legislation. Now, I would say that the North-west Assembly has not legislated in regard to the law of evidence, except to this extent, that the law of evidence as it exists to-day in England, or as it existed on 1st July, 1870, is in operation in the North-west Territories. You would specially legislate in this Bill in respect to matters over which the Parliament of Canada has no jurisdiction. There is no question whatever that the Parliament of Canada has jurisdiction to legislate whenever it chooses, in regard to evidence in the North-west Territories. Not so in regard to the provinces, because the provinces have exclusive jurisdiction in matters of evidence relating to civil cases, and if there is a clause inserted in this Bill that it shall not disturb or affect the law of evidence as it at present prevails in the North-west Territories, it would be quite sufficient for my purposes; otherwise you at once place us in conflict with what is the law to-day.

Hon. Mr. ANGERS—I am sorry to be obliged to take up the time of the House so often in a discussion of this matter, with the Speaker in the Chair, as if we were in Committee of the Whole. I understand the hon. member for Calgary to say that they had no special legislation relating to evidence in civil cases, and that they follow the law of evidence. Do I represent accurately what he has said?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. ANGERS—Then this Bill cannot put them in a worse position than the Dominion is in to-day in reference to the very same subject. If it is good for the Dominion to-day, in opposition to the suggestion I made the other day of going a step further, I think the North-west Territories might readily accept the law that we make for the Dominion upon the very same subject, and I hope the hon. gentleman will understand that it is not easy nor, perhaps, advisable to make an exception for the North-west Territories, because if we do we would be admitting that we are not doing for the Dominion exactly what we should do in this legislation. Therefore, I hope hon. gentlemen will accept that. Now, it will take a very short time to test the value of this Bill. After it receives the sanction of the Crown, the courts will have to deal with it every day, and perhaps next session this House may come to the conclusion that we should go a step further in the direction indicated by the Bill as presented, or in some other direction; but at present I do not think we can improve the position at all.

The motion was agreed to, and the Bill was read the third time and passed.

SECOND READING.

Bill (58) "An Act to incorporate the Automatic Telephone and Electric Company of Canada." (Mr. Murphy.)

Bill (V) "An Act further to amend the General Inspection Act." (Mr. Bowell.)

RAILWAY ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the whole on Bill (U) "An Act further to amend the Railway Act."

In the Committee—On the first clause.

Hon. Mr. BOWELL—I propose a slight amendment to this clause in order to accomplish the object which the promoters had in view in proposing it, and that is to strike out in the fourteenth line the words "and the mode of protection thereof." That would simply amend the original Act by omitting the words "protection of" in the sixth line of chapter twenty-seven, the object being to remove any doubts that may exist as to the power of the Railway Committee to adopt rules in the interest and for the protection of the community. I may add, this decision has been arrived at after discussion between the different Railway Managers and the Department. It will be necessary, in order to understand that, to read the clause in the original Act, by which it will be seen that this proposal removes any doubt as to the power of the Railway Committee to deal conclusively with the question of the sufficiency of the mode and place of any proposed crossing of one railway by another. The 17th section reads as follows :—

> The works to be executed and the measures to be taken by the respective companies, as it appears necessary or expedient to secure the public safety.

In reading the Act as it stands upon the Statute-book, the legal gentlemen of the House will understand it fully; it reads in this way :—

> Whether constructed under Dominion, or Provincial or Municipal authority or otherwise, unless the mode and modes of protection of the proposed crossing, or intersection, or junction, or union are first approved by the Railway Committee.

The words "protection of," as they appear in this clause, would seem to be restricted to the words "place and mode of" instead of the crossing itself and the intersection; so they strike it out of the Act, and that leaves them full and distinct power to deal with the crossing in the 174th clause.

The amendment was agreed to.

On the second clause,

Hon. Mr. BOWELL—I propose to amend clause 2, as it is a little ambiguous, and would, I doubt not, if passed as printed, lead not only to confusion, but would compel all railway companies to keep a man stationed in their yards, if strictly applied; so that where they cross the tracks, as they do in scores of places in some of the large yards, it would cause great hardship. I propose to substitute the word "person" for the word "officer." In order to make it clear and prevent misunderstanding as to what is meant by the main line, I propose to add the following subsection :—

> Every main track of a branch line is to be a main line within the meaning of the section, which shall apply whether the same line be owned by different companies or by the same company.

There is a doubt now as to whether a railway company is compelled to provide the same protection upon crossings upon lines which they have acquired and which were not originally a part of their main line. The Railway Committee of the Privy Council have been under the impression—and I think acted upon that impression—that they had the power to compel them to keep men at these crossings; but the railway companies contend that any branch which they have acquired forms a part of the main line, they do not come within the meaning of the law as it stands on the Statute-book. This is to make it so clear that the Railway Committee of the Privy Council shall have power to compel them to provide the same protection on crossings as those to which I have referred, as if it were on the main line.

Hon. Mr. SULLIVAN—I should like to ask if this clause would apply to the branch line going into Kingston, which is not a main line.

Hon. Mr. BOWELL—It would apply there.

The motion was agreed to.

Hon. Mr. SCOTT—I propose the following as an additional subsection to that clause :—

> In case of street railway companies crossing each others tracks in a city or town, it shall be the duty of the conductor to go forward and look up and down the line to be crossed and then to signal the motorman to cross while he is there.

Under the preceding clause the train must come to a standstill, but this will meet every possible case and relieve the company.

Hon. Mr. SMITH—You mean the conductor shall get off the car.

Hon. Mr. SCOTT—Yes, and look up and down.

Hon. Mr. SMITH—It will be very inconvenient, and I do not think there is any necessity for it.

Hon. Mr. DICKEY—It is done that way on the Ottawa and Prescott Railway.

Hon. Mr. SCOTT—The street railway company will be much better suited and it will do away with the necessity of having a special officer there. He is bound to stop now under the preceding section.

Hon. Mr. SMITH—If there are only street cars crossing each others tracks, that would be unnecessary: if there was a locomotive going up and down the provision would be a wise one.

Hon. Mr. SCOTT—If that provision were not adopted there would have to be an officer there and the car would have to come to a full stop. That is the law at the present time.

Hon. Mr. SMITH—Then that law is a great hardship.

Hon. Mr. DICKEY — This proposed amendment, which is a very good one, does not apply to crossing a railway track ?

Hon. Mr. SCOTT—No.

Hon. Mr. DICKEY—In crossing the railway between this and New Edinburgh, the motorman should get off and see that the line is clear before attempting to cross. Why should not this section apply ?

Hon. Mr. SMITH—It would be proper enough if one of the tracks was a railway track, but in the case of the electric railway the car can be stopped and there is no necessity for this provision.

Hon. Mr. OGILVIE—If that is the law as applicable to large cities, I will agree with my hon. friend on my right that it is a pity it should be so, and if that law were to be carried out in large cities, I would not like to own stock in the company or to be a resident of the city, because the street cars would be rendered almost useless. It would take at least 25 to 30 per cent more time than the present system, and cost the company a great deal more to do the same work. They are reducing their prices, giving transfers and doing the best they can to help us and give us quick transit. If you pass a law injuring their charter, it hurts the public and the company and accomplishes no good.

Hon. Mr. SCOTT—The hon. gentleman does not understand me. At present the interpretation put on the law is that where a street railway crosses a steam railway, they must come to the Railway Committee for permission to cross. The Railway Committee invariably make an order that an employee of the street railway company shall be stationed at the crossing, just as if it were a crossing of two steam railways. That is a hardship to the street railway company. The cars have also to come to a full stop: they must observe the law. Now, it is on behalf of the street railway that I am making this proposition. It is to save the expense of having a special officer at each crossing. They would have, under the law as it stands, to come to a dead stop every time they reach the crossing. If the conductor can get off the car and look up and down the track, he can beckon to the motorman and proceed without delay. If we do not adopt this amendment, the Railway Committee will make an order requiring an officer to be stationed at every crossing, and that each car shall come to a stop at the crossing. This is to relieve the street railway companies.

Hon. Mr. SMITH—Look what the effect of it would be in Toronto. Take the Yonge street cars for instance, they would have to stop at King street, and again at Queen street. Does the hon. gentleman mean that all street cars shall come under this regulation.

Hon. Mr. SCOTT—They come under the law with regard to railways. This would minimize the expense and delay.

Hon. Mr. FERGUSON—There is a greater danger to human life in running electric cars through a city than in running railway trains. Take Toronto and Montreal as an illustration. In Toronto the cars come down Yonge Street at a rate of ten or twelve miles an hour. I say that the precaution suggested is very necessary.

Hon. Mr. SMITH—The man on the platform running a car—say an electric car—can see better from the platform when he reaches a street crossing than the conductor could if he jumped off the car and ran ahead. It would be a hardship to compel the conductor to get off the car at each crossing and look up and down the street.

Hon. Mr. POWER—There is a good deal of force in what has been said by the hon. gentleman from Toronto. This clause requires further amendment, because this provision will apply to street railways operated by horses as well as to cars run by electricity. If a horse railway crosses another horse railway, there does not seem to be any necessity for the conductor jumping off to run and see if there is a car coming on the other track. I think it should be limited to the case of the crossing of an electric road.

Hon. Mr. SMITH—There is no need for it whatever.

Hon. Mr. SCOTT—I am willing to limit it to electric railways.

The amendment was changed accordingly and adopted.

Hon. Mr. BOWELL moved that section 3 be struck out. He said—The necessity for the weighing of cars at certain intervals has been very strongly impressed on the Railway Department for the reason, as they allege, that the cars increase in weight by the accumulation of dirt, snow, ice, etc., and that those who employ such cars have to pay more than they should for the freight carried. A great deal of objection, however, has been made to the clause on the ground that it is springing it at once upon the railway companies. It has, therefore, been decided by the Railway Department to omit the provision from this Bill, but the railway companies should understand that it is still under the consideration of the Government, and in all probability some provision will be made at a future meeting of Parliament to remedy the evil to which I have referred. Some of the railway companies complain very bitterly that it would involve a large expenditure, particularly where a company employs from 15,000 to 20,000 cars. They add that to re-weigh and re-mark those cars every four months would entail a very large expenditure; but it must be remembered that in England where this matter has received a great deal of consideration, the companies are required to re-weigh their cars oftener than is proposed in this Bill. It has been found necessary in Great Britain, to protect the people from the loss which would be involved in carrying freight on cars which are constantly increasing in weight through accumulations of dirt and moisture. If it be necessary to make such a provision in a country like England, it certainly must be very much more necessary to do so in Canada, where the climate would aggravate the evil. However, for the present I propose, for the reasons I have given, to strike out clause 3.

The amendment was agreed to.

On the fourth clause.

Hon. Mr. BOWELL—This clause merely removes the Electric Railway at the Falls from the operation of the Dominion Act and places it under the law of Ontario. It is done at the instance of the Premier of Ontario, who thought that under the peculiar circumstances of that road it would be better to do so, and the Minister of Justice gave his consent before leaving.

Hon. Mr. FERGUSON—I would suggest that the following words be added to the fourth clause after the word "declaring"—"so long as the same shall be operated under section 7 of the Act of its incorporation, that it shall be run by electricity." Under their charter they run by steam from Queenston to the Suspension Bridge, but from that point they are obliged to operate by electricity, and they might be relieved under this clause from that obligation. Their line runs along the front street of the town, and they should be compelled to comply with the terms of section 7 of the charter so as to protect the people of Niagara from the evil effects of having steam cars running along the banks of the river. They have secured the right of way free in front of the houses of the people of Niagara Falls, and in some cases have clipped off pieces of their gardens. I think the people of Niagara Village should be protected from having smoke from locomotives blown in through their doors and windows.

Hon. Mr. BOWELL—If the Ontario charter under which they build the road gives them the power to run by steam or electricity, the amendment that the hon. gentlemen suggests would make no difference. Supposing you say "so long as it is operated by electricity," the moment they put a steam engine upon it they come under the provisions of the General Railway Act of the Dominion, but that Act would not prevent them running a steam engine over it. Unless you could accomplish that object, I do not see what benefit the amendment would be to the people of Niagara.

Hon. Mr. FERGUSON—The opinion of the lawyers that I have consulted is that after the passing of this Act they would be relieved from running it by electricity. In the interest of the people of Niagara, it ought to be clearly enacted that they would not be relieved of the section which requires them to run their cars by electricity.

Hon. Mr. BOWELL—I do not know what legal gentleman would give that opinion. For the moment I cannot see how the amendment would accomplish the desired result. I heard objections to this clause from gentlemen connected with the railways crossing this line, that this electric railway under the provisions of the Ontario charter had taken a portion of their property, and they think they would be safer under the Dominion than under the Local Government. However that is not the point that the hon. gentleman raised. I would ask him not to move his amendment at present, I will make inquiry as to the effect that he thinks the clause will have, before the third reading, and if it should be as he indicates, it is a question whether his amendment should not be accepted. There is a further clause to provide that all actions for damages against any company, by reason of the railway or the working thereof, shall be commenced within a year after the alleged damage has occurred The clause was attached to the Bill as introduced but has been omitted in the printing. I move that the clause be inserted.

The motion was agreed to.

Hon. Mr. McINNES (B.C.) moved that paragraph *c*, of section eleven, of the Railway Act, chapter 29, of the Statutes of 1888, be repealed and the following substituted therefor :—

> *c*.—The construction of branch lines exceeding one quarter mile in length, but not exceeding thirty miles.

The provision in the Railway Act for which I propose to substitute this is as follows :—

> The construction of such branch lines exceeding one quarter mile in length, but not exceeding six miles."

I move this in consequence of the principle laid down on Friday last with respect to the Kootenay and Columbia Railway Company's Bill, that a Railway Company could build branch lines for thirty miles on each side of its track to any extent they might desire. I endeavoured to point out on that occasion that of all portions of the Dominion, British Columbia was the last one where such powers should be granted, and for this reason—that it is only occasionally you can find a pass for a railway through the mountains, and if one company has the exclusive right of building branches in that part of the country, the public interest and the developement of that section must necessarily be interfered with. In a level country you can run a road anywhere you please, and there would be no necessity for restricting the power to build branches. If this House wishes to be consistent with its action on Friday last, it will adopt this amendment to the Railway Act.

Hon. Mr. KAULBACH—The hon. gentleman is not consistent. On Friday last he complained of any company being allowed to construct a branch more than six miles in length, without coming to Parliament for the power to do so: now he wants every company to have the right to construct branches thirty miles in length.

Hon. Mr. McINNES (B.C.) I simply want to see if the House will carry out the principle to which twenty-seven members of the Senate committed themselves last Friday.

Hon. Mr. BOWELL—If the hon. gentleman were consistent or logical (as he tries to make it appear, the House would not be if it opposed his amendment), he would not make such a proposition. Had the House affirmed the principle of giving any company an exclusive right to build branch lines, then the hon. gentleman would be logical. The House decided that a company should have the right to construct a branch from the foot of Arrow Lake, some thirty miles into the mountains, in order to reach a mining district. The House said "you can build any branch there that you deem necessary in the interest of your company or of the country where those mines are to be developed."

Now the hon. gentleman says because the House has granted that right to one company, therefore the privilege should be conferred upon all companies to build as many branches as they please. The province of British Columbia can grant as many charters as they please for the construction of branch lines in any and every direction, and if another company comes to this Parliament for a charter to construct a branch line, running from the Kootenay Lakes if you please to these same mines, for the purpose of taking the ore out in another direction there would be no objection, I take it, to giving them the right to do so. But the hon. gentleman says that they would not do that because this company has a right to build a branch there. They could build if they chose to do so, and if they built in the other direction, it would not interfere with the development of the country. I like the ingenious way in which the hon. member has tried, by a side wind, to attain that which he failed to accomplish by a direct vote. I hope the House will not adopt the proposition.

Hon. Mr. McINNES (B.C.)—Instead of a branch of 30 miles, the Bill which was passed here on Friday last authorized the construction of a branch 150 miles in length and to construct as many branches as they chose for 30 miles on each side of that line. That is what I objected to.

Hon. Mr. BOWELL—This road is to start from the foot of Arrow Lake and run in a south-easterly direction. It is not to go to Robson.

Hon. Mr. McINNES (B.C.)—They do not know where they are going yet. As near as I can make out, the line is to be 150 miles in length, and Parliament is giving that company an exclusive right to build branches for 30 miles on each side of that road.

Hon. Mr. BOWELL—Not the exclusive right.

Hon. Mr. McINNES (B.C.)—It is practically an exclusive right, inasmuch as they can intervene and build a road wherever a private company may have taken preliminary steps to do so—they can build the line while the other company is applying for a charter here.

The amendment was declared lost.

Hon. Mr. DEVER, from the Committee, reported the Bill with amendments which were concurred in.

TEMISCOUATA RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. PELLETIER moved the second reading of Bill (80) "An Act respecting the Temiscouata Railway Company." He said: The object of this Bill is to grant the Temiscouata Railway Company from Edmundston to St. Leonard's, in the province of New Brunswick, the work to begin within two years and to be completed within five years from the passing of the Act. The most important part of the Bill is to authorize the Company to bridge the River St. John from some convenient point on the Canadian side to a convenient point on the United States side, to connect with the railway on that side. As in ordinary bills authorizing the bridging of a navigable river, it is provided that no work shall begin until the plans have been submitted to the Governor in Council and approved by him. Those are the principles of the Bill.

The motion was agreed to.

SECOND READINGS.

Bill (36) "An Act to incorporate the Calgary Hydraulic Co." (Mr. Lougheed.)

Bill (47) "An Act respecting the London and Port Stanley Railway Co." (Mr. Lougheed.)

BRITISH AMERICA INSURANCE COMPANY'S BILL.

SECOND READING.

Hon. Mr. ALLAN moved the second reading of Bill (78) "An Act respecting the British America Assurance Company." He said:—This is a Bill to make certain alterations in the charter of the British America Assurance Company. Some of them are not of a very important character. One provision allows them to change the time for holding their annual meeting, and also to change the name of their chief officer from Governor and Deputy-Governor to President and Vice-President; appointing a General Manager and Directing Committee, and also giving them power to reduce or increase the capital stock under certain conditions.

The motion was agreed to.

BILLS INTRODUCED.

Bill (6) "An Act further to amend the Steam-boat Inspection Act." (Mr. Bowell.)

Bill (97) "An Act respecting the harbour and river police of the province of Quebec." (Mr. Bowell.)

Bill (103) "An Act further to amend the Act respecting public officers." (Mr. Bowell.)

Bill (106) "An Act respecting the Ladies of the Sacred Heart of Jesus." (Mr. Robitaille.)

FIRST AND SECOND READINGS.

Bill (85) "An Act to incorporate the Canadian Gas Association." (Mr. Clemow.)

Bill (69) "An Act to incorporate the Canada Atlantic and Plant Steam-ship Company." (Mr. Power.)

Bill (52) "An Act to incorporate the Calgary Street Railway Company." (Mr. Lougheed.)

The Senate adjourned at 5.35 P.M.

THE SENATE.

Ottawa, Tuesday, March 28th, 1893.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THIRD READINGS.

Bill (87) "An Act to incorporate the British Columbia Dock Company." (Mr. McInnes, B.C.)

Bill (45) "An Act to incorporate the Cleveland, Port Stanley and London Transportation and Railway Company, and to confirm an agreement respecting the London and Port Stanley Railway Company." (Mr. Lougheed.)

Bill (89) "An Act respecting the Nelson and Fort Sheppard Railway Company." (Mr. Reid, B.C.)

Bill (58) "An Act to incorporate the Automatic Telephone and Electric Company of Canada." (Mr. Power.)

Bill (47) "An Act respecting the London and Port Stanley Railway Company." (Mr. Lougheed.)

Bill (80) "An Act respecting the Temiscouata Railway Company." (Mr. Pelletier.)

Bill (52) "An Act to incorporate the Calgary Street Railway Company." (Mr. Lougheed.)

Bill (69) "An Act to incorporate the Canada Atlantic and Plant Steam-ship Company." (Mr. Power.)

Bill (98) "An Act to amend the Act to incorporate the Eastern Canada Savings and Loan Company (Limited)." (Mr. Power.)

Bill (78) "An Act respecting the British America Assurance Company." (Mr. Allan.)

Bill (85) "An Act to incorporate the Canadian Gas Association. (Mr. Clemow.)

THE WELLAND CANAL INVESTIGATION.

MOTION POSTPONED.

The motion being called—

> That an humble Address be presented to His Excellency the Governor-General; praying that His Excellency will cause to be laid before this House, all the papers, examinations, evidence and report of the Commissioner to whom the charges preferred by the Honourable Senator McCallum, against William Ellis, Superintendent on the Welland Canal were referred for investigation; also, an account of the expenses of such investigation, including an estimate of the cost of the Debates made in Parliament in reference to said charges.

Hon. Mr. O'DONOHOE asked that it be allowed to stand.

Hon. Mr. McCALLUM—This order has been standing a long time and I see no reason why it should remain any longer on our Order Paper. This is the third or fourth time that the hon. gentleman has asked that it be allowed to stand over.

Hon. Mr. O'DONOHOE—I should be glad to do anything to favour my hon. friend, but I cannot possibly proceed with the motion until the papers come down. It is a motion of that nature, but if my hon. friend is so very anxious about it, perhaps I may not keep him even until then.

Hon. Mr. BOWELL—I can assure my hon. friend that it is no fault of mine that the papers are not before the House. I have inquired for them half a dozen times. At one time I understood that they were ready to be laid before the House, but on making inquiry I learned that they were not prepared.

The motion was allowed to stand.

A CORRECTION.

Hon. Mr. BELLEROSE called attention to an error in the minutes of yesterday's proceedings. He said :—I wish to call the attention of the House to the fact that in the minutes of yesterday's proceedings it simply mentions that the Witnesses and Evidence Bill was read the third time, not stating that the motion was carried on a division. I draw the attention to this so that the correction may be made when the journals are being prepared.

RAILWAY ACT AMENDMENT BILL.

THIRD READING.

The order of the day being called—

Third reading Bill (26) "An Act further to amend the Railway Act.

Hon. Mr. BOWELL said : after the suggestion made by the hon. member from Welland last night, I made enquiry of the Railway Department and it was thought advisable to accept the suggestion made by that hon. member, for this reason ; this is a road purporting to be an electric railway operated by electric power, but it is somewhat in connection or may be in connection with one of the main lines running into Niagara, and it is better that care should be taken to keep it within the provisions of the General Railway Act in case it should become a part or parcel of any of the main lines of railway. I therefore move, that the words "so long as the said railway is run or operated by electricity" be inserted in the sixth line of the fourth section after the words "the Railway Act."

The amendment was concurred in, and the Bill was then read the third time and passed.

CONTINGENT ACCOUNTS OF THE SENATE.

MOTION.

Hon. Mr. McKAY moved the adoption of the second report of the Select Committee on Contingent Accounts of the Senate. He said :—This report is printed in the minutes of yesterday : I presume hon. gentlemen have read it and that it is not necessary to make any comments upon it.

Hon. Mr. BOWELL—Before adopting this report I beg to call the attention of the Senate to the sixth paragraph :—

> Your committee recommend that the sessional messengers be paid the sum of $250 for their services during the present session.

That is equal to paying messengers $125 a month. Now I can see no reason why there should be any departure from the principle laid down by the Senate the year before last in connection with the sessional messengers. I find on page 351 of the report of the Committee on Contingencies of 1891, a recommendation that the sessional messengers be paid, in addition to their ordinary sessional pay $2.50 per day for each and every day of the session beyond the 100 days, and in future sessions at the rate of $2.50 per day. Now the recommendation of the Committee in this case gives to the messengers the advantage of the $250, no matter how short the session may be, and if it exceeds 100 days, they get the additional $2.50 per day ; the result is that we have the messengers of this House paid better than any other class of officials. I do not know what practice has been followed here, but it seems to me we should adhere strictly to the report adopted by the Senate in 1891. It does seem somewhat extravagant—if I may be permitted to use that term—to say that an ordinary messenger should receive between $4 and $5 a day for the work he does in this House. In dealing with public funds individually I have always adopted the principle of acting as nearly as possible as I would do if they were my own, treating employees liberally in all cases where there is a justification for it, but, with all due respect to the Committee, this recommendation is a piece of extravagance which is not justifiable, particularly when we are dealing with money that is not our own. I therefore move that the sixth paragraph of this report be struck out.

Hon. Mr. McINNES (B.C.)—Before that is carried, I think it is due to myself and a number of the members of the Committee to say a few words, more particularly as I happen to be the member who moved in the matter and suggested the recommendation. Until 1891 the sessional messengers always received $250, no matter whether the session was long or short; but the session of 1891 was an exceedingly long one, extending over five months, and an additional indemnity of $500 was granted to the members of both Houses of Parliament, and a recommendation was made by the Committee on Contingencies that the sessional messengers' pay ought to be increased if the session exceeded 100 days. That was adopted, but I think I am perfectly safe in saying that very few, very few indeed understood the amendment moved by Sir John Abbott, that in future sessions they should receive at the rate of $250. If this session closes in a day or two, as seems very probable, it will be one of the shortest sessions since Confederation. If the motion made by the hon. the leader of the House is carried, the sessional allowance for these messengers will be reduced to about $160. I think that this is an exceedingly small matter. The additional $80 or $90 would only amount to about $550, and I think that if the Government were endeavouring to economise, they would apply the pruning knife in other directions where larger sums are spent without that care and supervision that is applied in this case. It would be only fair and right that they should grant the regular allowance to those poor people whose time for the balance of the year will be practically of no account. As it was promised in the Committee yesterday that a revision of all the salaries should be made at the beginning of next session, I think it is only right, generous and just on our part that we should grant the $250 as recommended in the report.

Hon. Mr. KAULBACH—My hon. friend says that this is only a small matter, but we should deal with small matters on the same principle as we deal with large matters. We should act with the same care and prudence as if it were a matter concerning ourselves. I cannot understand the reason that my hon. friend has given for the change at all. We know well enough there are many persons clamoring for the positions—men who could not get half as much outside, and it is an unpleasant matter to deal with here. We come in daily contact with these messengers, and they perform many duties for us, yet I must support the Minister in his contention that it is contrary to all rule and principle to adopt this recommendation. We have established the rule that for a session of one hundred days we shall allow $250, and if it is less than that it must be reduced.

Hon. Mr. POWER—If we were fixing the pay of the messengers now for the first time, I should be disposed to agree with the hon. leader of the Government, but for the last fifteen years the sessional messengers of this House have been paid at the rate of $250 a session, just as the members of the House have been paid $1,000 a session, and I do not think there is any more reason for cutting down the pay of the messengers than there is for cutting down the pay of the members. I have not heard any hon. gentlemen propose that the pay of the members should be reduced. It is perfectly true that at the close of the session of 1891 an amendment was moved to the report of the Committee on Contingent Accounts to the effect mentioned by the hon. leader of the House. I do not think as a rule that it was understood at the time that that was the object of the amendment, and the impression on the minds of members of the House and the impression on the minds of the messengers themselves, up to two or three days ago, was that they were to be paid the usual $250. I do not think that this House would like to do a thing which is to a certain extent unfair. These messengers have been under the impression that they were to be paid $250, and I think, without giving them any notice of the change, it is rather hard and unfair that this change should be made. Now that attention has been called to the matter and the intimation has been given that the whole scale of salaries is to be revised at the beginning of the next session, the messengers will be prepared for a possible reduction. I do not agree with the view taken by the hon. leader of the Government and by the hon. gentleman from Lunenburg, that in dealing with the officers or employés of this House you are to consider for what sum you might get people to do the same work. I look upon a position in the service of the Senate as a sort of a prize, something which comes to very few people, and it is regarded as a prize. I think there is no reason why there should not be just a few of these small plums left for the small people, as well as the large plums for the big people, and I think, for the present session at any rate, we might treat these messengers as they have been treated in the past, and let them understand that hereafter their pay is liable to be reduced.

Hon. Mr. BOWELL—I am somewhat surprised at the remarks of the hon. gentleman from Halifax, more particularly when he knows, as I read to the House, that we fixed the pay of the messengers of this House in 1891, so that none of them can be taken by surprise.

Hon. Mr. POWER—I stated that it was not understood as a rule.

Hon. Mr. O'DONOHOE—In this matter the salary having been for some fifteen years $250 a session, I do not think it would be entirely right, because this session happens to be exceptionally short, to cut down the allowance. There was a reason for increasing it in 1891—a very good reason, as stated by the hon. member from Halifax. The session was so very long that it seemed only just to increase the rate. It is on an average session that the rate should be made and more particularly as it is in contemplation, in the early part of next session, to revise the list of salaries.

Hon. Mr. BOWELL—But a sessional messenger is not a salaried officer—it is a per diem allowance.

Hon. Mr. O'DONOHOE—It is a sessional allowance, but, after all, it is *pro tanto* a salary—it is so much to these messengers. When for fourteen or fifteen years they have been in the habit of receiving $250 per session as an allowance, it is not entirely fair to them to cut that down because this session happens to be exceptionally short. There is great force in what the leader of the House says about the settlement of 1891, but it must be remembered that the sessional employees of the House are not really met as an employer meets his employees making a bargain with them; they have just to take what they get; it is a certain allowance that is set apart for them. They are not parties to the bargain, nor are they parties to the shortening of the session. If the session were only for thirty days instead of sixty days, according to the argument of my hon. friend, the leader of the Government, the pay would be cut down to the pay of thirty days, although it is well known that these sessional employees remain here free from other engagements in order to take upon themselves the duties of the House. I think the $250, as that has been the rate for fifteen years in exceptionally long sessions, should be continued to them, particularly as it is intended next session to revise the allowances generally.

Hon. Mr. BELLEROSE—I do not rise to oppose the amendment, but I could not let it pass without saying a few words. I recollect very well seven or eight years ago when I, as a member of this House, asked to amend the report of a committee, I was told by the leader of the Senate at that time that it was a serious matter to interfere with the report of a committee nominated by the House—that its reports should be accepted, unless some very grave and important reasons could be assigned for interfering with them. I regret to see the unanimity of the House in desiring to have this amendment at once carried. I would have been less surprised had it not, as I am told, been decided to increase the salaries of members this session—because it was shorter I suppose. I understand that the members of both Houses are to receive an allowance of six days extra.

Hon. Mr. VIDAL—Not this House.

Hon. Mr. BELLEROSE—I mean Parliament. This House has to vote the money, so my argument is perfectly good. The House of Commons could not get the increase without the vote of the Senate. Are we prepared to say that because of the shortness of the session members of the House of Commons must receive an increase of six days allowance, and that for the same reason the sessional messengers shall receive a little less? That is rather hard on our messengers. It is my custom to stand by the poor people and help them through their difficulties. We who are rich can take care of ourselves. The argument has been used that the session is short, and that the remuneration will be sufficient, but these poor people may not be able to get work for a month or two yet. They gave up their employment to be here, believing that the session would last as many months as we all supposed it would. There is not a member of either House that did not look forward to a session of four or five months. Now, for reasons which they could not help, the session is shortened. Only yesterday the Finance Minister, because of the absence of the Premier, said that some important Bills must be left over until next session. It is rather too much to expect that our messengers shall suffer on that account. For the small sum of $400, I think we ought to stand by the report of our committee.

Hon. Mr. FERGUSON—I see a very easy way out of this difficulty. It appears that we are to receive six days extra allowance. If that be so, we rich people, as the hon. gentleman from Delanaudière describes us, can easily make up a fund of $400 and hand it to these messengers. The Minister is perfectly right in keeping the expenditure of the House within reasonable bounds, and if we rich people want to be generous, we can subscribe the $400 amongst ourselves.

Hon. Mr. McDONALD (P.E.I.)—I shall support the amendment, especially after hearing the argument of the hon. member from Delanaudière. There are numbers of well educated young men who would be delighted to get positions where the remuneration is even one-half of what these messengers receive for the present session. I know young men who are qualified to fill any position in a mercantile house in the Dominion, who are now looking for situations, and the very best that they can do, starting in a bank or first class mercantile establishment, is to get $100 a year and board themselves. There are many young men who would be glad to come from more distant provinces to Ottawa to fill these positions. If we consider that this matter was settled in 1891, I do not see how we can go back on that decision.

The Senate divided on the amendment, which was adopted by the following vote:—

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The Hon. Messrs.

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Angers,
Botsford,
Boucherville, de
Bowell,
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Clemow,
Desjardins,
Dickey,
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McMillan,
Macdonald (*Victoria*),
Macdonald (*P.E.I.*),
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McInnes (*Victoria*),
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Power,
Robitaille,
Wark.—19.

The report as amended was adopted.

STEAM-BOAT INSPECTION ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. BOWELL moved the second reading of Bill (6) "An Act further to amend the Steam-boat Inspection Act." He said:—This is a change in the Inspection Act to enable freight boats to run without certified engineers in certain cases. The law as it stands makes no distinction in this respect between passenger and freight boats. It is proposed by this Bill to retain the regulation applying to passenger steam-boats, of whatever tonnage, but it does not necessitate the placing of an engineer on freight boats, except as it may be deemed necessary by the Minister. In the eleventh line the word "Minister" is substituted for the word "board." In all other parts of the Act the power of granting certificates is vested in the Minister of Marine and Fisheries, and it is only in this one section that the word "board" is used. The sixty-first section of the Act is changed to provide that all fines and penalties imposed for the infraction of this Act shall go to the Receiver-General. The Act as it stands provides that half of the fine shall go to the informer and the other half to the Receiver-General. It is proposed to authorize the Governor in Council where the circumstances may warrant it, to grant payment of a portion of any such penalty to the informer, if he is not the Inspector. The Inspector is included under this clause, as it is in the existing Act, because it is his duty to lay information where he finds there has been an infraction of the law. The amendment is in the right direction. There have been many cases in which parties have unnecessarily interfered with the trade for no other purpose than to receive a portion of the fine. The Department think it much better, under the circumstances, that it should be left to the Governor in Council to say whether any or what portion of the fine should be paid to the informer. The object of this Bill is simply to make the Act more workable than it is at present.

The motion was agreed to and the Bill was read the second time.

The House resolved itself into a Committee of the Whole on the Bill.

Hon. Mr. POWER—I congratulate the Government on the change made by the second clause. Under the existing law half of the fine in each case goes to the informer; under this clause it goes to the Receiver-General. I think it is a decided improvement.

Hon. Mr. MACINNES (Burlington), from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed under a suspension of the rule.

HARBOUR AND RIVER POLICE BILL.

SECOND AND THIRD READINGS.

Hon. Mr. BOWELL moved the second reading of Bill (97) "An Act to amend the Act respecting the Harbour and River Police of the province of Quebec." He said:—This is a very small and unpretentious Bill, but it is somewhat important to the shipping interests of the country. Under the present law, power is vested in the Governor in Council to appoint river and harbour police in the cities of Montreal and Quebec. That is optional. The river police of Montreal has been abolished for two or three years. The river police of Quebec is to be abolished, so far as the Dominion Government is concerned; no appropriation is taken for payment of the river police. There is an imperative law upon the Statute-book compelling the shipping to pay certain fees out of which the river and harbour police were formerly paid. The object of this bill is to repeal that clause, which imposes the tax upon the tonnage of the shipping that comes into the harbour. If the Government should find it advisable, and in the interest of the country, to continue the river police at either of these cities, then they can continue to impose it, but in case they should abolish the police at Quebec, as has been done at Montreal, there is no reason why the shipping should be taxed, and the object of the Bill is simply to relieve the shipping of the dues which are now collected.

Hon. Mr. PELLETIER—Does this mean that the river police at Quebec will be abolished this summer?

Hon. Mr. BOWELL—Yes. It is proposed to pursue the same course in reference to the river police at Quebec that has been pursued in reference to the river police at Montreal. The river and harbour police will in future be under the management and control of the municipal authorities of the city of Quebec as they are at Montreal.

The motion was agreed to and the bill was read the second time.

The House resolved itself into Committee of the Whole on the Bill.

Hon. Mr. VIDAL, from the Committee reported the Bill without amendment.

The bill was then read the third time and passed under a suspension of the rule.

PUBLIC OFFICERS ACT.

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (103) "An Act respecting Public Officers." He said:—This Bill is simply for the purpose of giving the Governor in Council the power to declare what officers should come within the meaning of the word "Public Officers." Under the law now, commissions are issued to officers who are appointed to any position of a permanent character, and a small fee is charged for these commissions. Some officers who have received these commissions decline to pay for them, on the ground that they do not come within the literal meaning of the Act as it now stands upon the Statute-book, and this Bill is to give power to the Governor in Council to declare who shall come within the meaning of the Act, in order to prevent any trouble or difficulty in future. Although the fee is small, the number of officers appointed thoughout the whole Dominion is large, and there is a certain amount of revenue which I think is properly and legitimately collected under the circumstances.

The motion was agreed to.

The House resolved itself into a Committee of the Whole on this Bill.

Hon. Mr. MACDONALD (B.C.), from the Committee, reported the Bill without amendment.

The Bill was read the third time and passed, under a suspension of the rules.

LADIES OF THE SACRED HEART OF JESUS BILL.

SECOND READING.

Hon. Mr. ROBITAILLE moved the second reading of Bill (106) "An Act respecting the ladies of the Sacred Heart of Jesus." He said:—On moving the second reading of the Bill I should explain that the Sacred Heart is an educational establishment for young ladies situated near Montreal, with a branch in the city of Montreal. The object of the Bill is to extend the present Act of incorporation, and to enable these ladies to acquire property for the purposes they have in view, viz., education. Of course the Bill limits the amount of property which they can own and manage. The other provisions relate chiefly to the internal economy of the institution.

Hon. Mr. POWER—I rise for the purpose of directing the attention of the Committee to which this Bill will be referred, to the fact that the draftsman of the Bill was apparently not aware of the fact that this association has been incorporated by the legislature of Nova Scotia, so far as regards that province. Apparently the draftsman of this Bill was not aware that there was any other enactment incorporating them except in one province of Canada. I hope there will be some provision made in the Committee for the case of the institution in Halifax. They own a country house there where the children go during the holidays, and also a house in the city. The properties are somewhat valuable, and the titles are perfectly good, no clouds upon them, and I think probably it would be better that this act should not apply to that branch of the association.

The motion was agreed to.

FIRST AND SECOND READINGS.

The following Bills were introduced from the House of Commons and read the first and second time under a suspension of the rules:—

Bill (92) "An Act to amend the Merchants Shipping Act with respect to load lines." (Mr. Bowell.)

Bill (99) "An Act respecting the Harbour Commissioners of Montreal." (Mr. Angers.)

Bill (83) "An Act respecting the Toronto, Hamilton and Buffalo Railway Company." (Mr. Lougheed.)

Bill (79) "An Act to incorporate the North American Canal Company." (Mr. Clemow.)

Bill (43) "An Act to amend the Criminal Code, 1892." (Mr. Angers.)

Bill (70) "An Act respecting the Nakusp & Slocan Railway Company." (Mr. Macdonald, B.C.)

DRUMMOND COUNTY RAILWAY COMPANY'S BILL.

FIRST READING.

A message was received from the House of Commons with Bill (71) "An Act respecting the Drummond County Railway Company."

The Bill was read the first time.

Hon. Mr. McMILLAN moved that the rules of the House be suspended and that the Bill be read the second time presently.

Hon. Mr. GUÉVREMONT (in French)—I am opposed to the motion for many reasons. In the first place I object to the second reading now because I know that there are some gentlemen in Montreal who are opposed to the Bill and who have not had sufficient notice to enable them to appear before the Committee to-morrow. There is a rule of this House which requires that before a Bill can be read the second time it shall be printed in both languages. This Bill has not been printed in French yet and I object to the second reading of the Bill to-day.

Hon. Mr. POWER—I hope the hon. gentleman will not persist in raising this technical objection to the Bill. It is true that if the hon. gentleman persists in his objection the Bill cannot be read; but I understand this company have already built about sixty miles of railway, and they have to build about sixty-two miles more in order to reach Chaudière Junction. This road proposes to connect with the Intercolonial Railway and to give a competing line from the lower provinces to Montreal, competing with the Grand Trunk Railway and Canadian Pacific Railway, which I think is a most desirable object. If there is any substantial objectionable feature in the Bill, and the hon. gentleman comes before the Committee on Railways, I have no doubt the committee will be prepared to make the necessary alterations, but I hope the hon. gentleman will not persist in his objection, which is a technical one.

Hon. Mr. OGILVIE—I also hope that the hon. gentleman will not persist in this technical objection. It will not accomplish anything, and I quite agree with my hon. friend from Halifax that this line will be a valuable road. One of the arguments used by the hon. gentleman is a fallacy—the argument that the people interested in opposing it could not be here in such a short time. I know a large majority of them where here this morning, talking to me about it. If they were here to-day, they could be here to-morrow; and I do hope that the hon. gentleman will, as a reasonable man, allow this Bill to be read the second time at this late period of the session.

Hon. Mr. GUÉVREMONT—(In French.) I know personally that there are gentlemen in Montreal who are opposed to this Bill. I saw one of them recently who told me so, and he asked me to take care and notify him in time so that he could come here and oppose it before the Railway Committee.

The second reading was allowed to stand.

THE SESSIONAL INDEMNITY.

INQUIRY.

Hon. Mr. ALMON—I wish to ask the leader of this House if there is any truth in the rumour that we have heard, that a resolution has been passed in the Commons providing that if any member was absent for six days on private business there would be no deduction from his sessional allowance; and if so, does that apply to the Senate.

Hon. Mr. BOWELL—The resolution before the House of Commons is to allow each member of Parliament an absence of six days—that no deduction shall be made from the sessional indemnity should a member be absent six days. That applies to both Houses.

The Senate adjourned at 5.30.

THE SENATE.

Ottawa, Wednesday, March 29th, 1893.

THE SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

THE ALBERTA IRRIGATION COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (54) intituled: "An Act to incorporate the Alberta Irrigation Company," with amendments. He said:—This is the first of a series of three Bills having similar objects in view. They were referred to a subcommittee, and carefully considered and discussed in the committee itself, with the result that these amendments were adopted. The first is to add two subsections, providing in the first place, that before an application could be made to the Governor in Council under this Bill, the notice should be published in the nearest paper for a period of two months, so as to give persons interested in the matter sufficient notice. The other sub-section is to require that the plans of the proposed improvement for irrigation purposes should be lodged in the office of the registrar. These clauses were thought necessary in the public interest.

Hon. Mr. LOUGHEED moved that the amendments be concurred in.

The motion was agreed to.

Hon. Mr. DICKEY—The second amendment occurs in the compensation clause. It is simply to strike out the two words "entered upon." As the Bill read, the compensation was limited to the lands "entered upon." Those two words were struck out to give it a wider scope and make it apply to all lands.

Hon. Mr. LOUGHEED moved that the amendment be concurred in.

The motion was agreed to, and the Bill was then read the third time and passed as amended.

THIRD READINGS.

Bill (35) "An Act to incorporate the Calgary Irrigation Company." (Mr. Lougheed.)

Bill (36) "An Act to incorporate the Calgary Hydraulic Company." (Mr. Lougheed.)

Bill (70) "An Act to incorporate the Nakusp and Slocan Railway Company." (Mr. Macdonald, B.C.)

Bill (79) "An Act to incorporate the North America Canal Company." (Mr. Clemow.)

Bill (83) "An Act respecting the Toronto, Hamilton and Buffalo Railway Company." (Mr. Lougheed.)

Bill (106) "An Act concerning the ladies of the Sacred Heart of Jesus." (Mr. Robitaille.)

THE DRUMMOND COUNTY RAILWAY BILL.

SECOND READING.

Hon. Mr. MACDONALD (B.C.), from the Committee on Standing Orders and Private Bills, presented their twentieth report *re* Bill (71), "An Act respecting the Drummond County Railway Company."

Hon. Mr. McMILLAN moved that the Fifty-seventh Rule of this House be dispensed with in so far as the same relates to Bill (71) "An Act respecting the Drummond County Railway Company," as recommended in the twentieth report of the Select Committee on Standing Orders and Private Bills.

Hon. Mr. GUEVREMONT (in French)—I rise for the purpose of objecting to the adoption of this motion. The 14th Rule of this House provides that "one intermediate day's notice in writing must be given of all motions deemed special." This Bill is not on the Orders of the Day, and even if it were on the Orders of the Day, the objection which I raise is sufficient.

Hon. Mr. POWER—I do not think the point of order is well taken. The adoption of the report of the committee has never been deemed a special motion.

Hon. Mr. DeBOUCHERVILLE—It is not the adoption of the report of the Committee to which the hon. gentleman objects, but to the motion.

Hon. Mr. POWER—The motion is to adopt the report of the Committee, which recommends that the Rule be suspended.

Hon. Mr. BELLEROSE—I believe the objection is not well taken. The hon. gentleman from Sorel might reach the end he aims at by letting the Bill be read a second time. Then it could not go before the committee for two days, when it would be too late. In this instance, there is no necessity for notice, because under our rules, when the Committee on Standing Orders and Private Bills recommends the suspension of any rule, concurrence may at once be taken.

The motion was agreed to.

Hon. Mr. McMILLAN moved that the 14th and 61st Rules of this House be dispensed with in so far as they relate to this Bill, and that the said Bill be now read the second time.

Hon. Mr. BELLEROSE—This Bill could not be read the second time for the reason that it has not been printed in French yet. The Legislature of the province of Quebec refused to grant a charter to this company and there seems to be something wrong with it. That is why I raise this objection.

Hon. Mr. POWER—The hon. gentleman's objection is not well taken, because the French version of the Bill was distributed, I think, two days ago. It was in the Chamber yesterday.

Hon. Mr. GUEVREMONT (In French.)—Under the 18th Rule of this House, the Bill cannot be read now. The 18th Rule provides that "No motion to suspend, modify or amend any Rule, or part thereof, shall be in order except on one day's notice in writing, specifying precisely the Rule or part of Rule to be suspended, modified or amended, and the purpose thereof." The Committee may recommend the suspension of the Rule, but it rests with the House to say whether the recommendation shall be adopted. I think that before the motion can be adopted, one day's notice in advance must be given.

Hon. Mr. POWER—The hon. gentleman is too late with his objection—the report has already been adopted.

Hon. Mr. GUEVREMONT—The recommendation may have been adopted, but you cannot make a motion without giving a day's notice.

Hon. Mr. BELLEROSE—After the Bill is read the second time it cannot be taken into consideration without forty-eight hours notice, but no suspension of the Rule is needed for the second reading.

The SPEAKER—I understand that the motion before the House is for the suspension of the Rules and the second reading of the Bill. Such being the case, when one member objects to the suspension of the Rules the motion is out of order and the Bill cannot be read to-day.

Hon. Mr. McMILLAN—I withdraw the part of the motion which refers to the suspension of the Rules, and I now move that the Bill be read the second time.

The SPEAKER—Not being on the Orders of the Day, a special motion is required to have it read to-day, and, an objection having been made to the special motion without due notice, it cannot be read now.

Hon. Mr. BELLEROSE—There is a Rule which states when a Bill originating in the House of Commons comes to the Senate without a petition having been presented to this House, that then after the first reading the Bill goes to the Committee on Standing Orders and Private Bills, so that that Committee may look into the question of notice, which could not be done if a petition had been presented. In this case there was no petition, and the Bill, after the first reading, was referred to the Standing Orders Committee. To-day that committee reports that the notices are complete. The House, therefore, has nothing more do with this Bill than to read it the second time, because it is in accordance with the Rules of the House. That is why I suggested to the mover that he ought not to add to his motion anything about suspending the Rules. The Rules have been complied with and there is no necessity to suspend them. There is no necessity for the notice of motion; the Bill comes before the House as a matter of course when the committee report that the notices have been regularly given.

Hon. Mr. ANGERS—I understand that the Speaker has decided that this Bill, not being on the Orders of the Day, cannot be read the second time without notice. We cannot therefore deal with the matter any further.

Hon. Mr. DICKEY—There is no appeal from the decision of the Chair to the House, so far as I know, and therefore the hon. gentleman who has charge of the Bill should give notice of the second reading at the next sitting of the House.

Hon. Mr. McMILLAN—I move that this Bill be read the second time at the next meeting of the House.

The motion was agreed to.

SUBSIDIES IN LAND TO RAILWAYS BILL.

FIRST, SECOND AND THIRD READINGS.

Hon. Mr. BOWELL—I wish to ask the indulgence of the House to introduce a Bill to enable the Government to deal with some of the North-west lands. I think the House will understand it better if I just read a short memorandum which I have in reference to it, which is as follows:—

Memorandum on Bill intituled "An Act relating to the granting of subsidies in land to railway companies."

Some years ago it was represented to the department (by Mr. Bridges, Land Commissioner of the Hudson's Bay Company, if I mistake not), that the lands in the southern part of the district of

Alberta were suitable chiefly for grazing purposes, that in fact they were almost valueless without access to water, and that to make grants to railway companies of every alternate section would be to spoil both the sections so granted and those which remained for homestead purposes.

An Act (49 Vic., cap. 12) was accordingly passed, authorizing the Governor in Council to grant railway land subsidies in tracts of a township each, on setting apart lands elsewhere for the purposes of school endowment, and on the change being assented to by the Hudson's Bay Company, who were to receive lands of equal value elsewhere.

The Hudson's Bay Company have decided to accept this arrangement, and the object of the present Bill is to enable the Governor in Council to deal with all the lands in the township (exclusive of the Hudson's Bay Company's sections) in the manner originally intended.

The House will see the land has been granted in aid of these railways in the North-west, but upon these conditions, and the Hudson's Bay Company having declined to accede to this proposition, we now ask that the Governor in Council have power to deal with the townships, less the Hudson's Bay section. I beg leave to introduce a Bill intitled: "An Act relating to the granting of subsidies in land to Railway Companies."

The Bill was read the first and second time, under a suspension of the Rules.

The House resolved itself into Committee of the Whole on this Bill.

On the first Clause.

Hon. Mr. POWER—With respect to those school lands, those which are to be substituted for them in the townships, may not be in such a suitable place.

Hon. Mr. SCOTT—It says of equal value.

Hon. Mr. POWER—But they may not be as convenient.

Hon. Mr. BOWELL—This proposition does not propose to interfere with the law on the Statute-book as it stands so far as it relates to the school lands, and hon. gentlemen will see that it will be advisable, in the interests of the school fund, if this section of the country is only fitted for grazing purposes, to have their property in some other portion of the territory where settlement will be likely to take place.

Hon. Mr. PERLEY, from the Committee, reported the Bill without amendment.

Hon. Mr. BOWELL moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time and passed.

FREIGHT RATES AND INTEREST ON LOANS IN THE N. W. T.

Hon. Mr. PERLEY—Before the Orders of the Day are proceeded with, I desire to call the Government's attention to the fact that there is all over the North-west Territories a feeling that the Canadian Pacific Railway Company are charging excessive rates on the products of the farm going out of the country and on some articles coming into the country. I am aware, and other hon. gentlemen of this House know that the Government of Canada has given a large grant both in lands and money towards the building of that railway, and rendered such other assistance as was in their power. That I think was quite right, and I heartily approve of it, but in a large portion of that country there is no competition to reduce their rates. I understand there is a provision that the Government have something to say about those freight rates. Inasmuch as the settlers of that country feel that they are aggrieved, that they are paying excessive rates, it would be but right and fair for the Government to make proper inquiry to ascertain if such is the case, and if it is found that the rates are excessive, the Government should cause them to be reduced. We are entirely at the mercy of the corporation. Whether they charge too much or not, I am not prepared to say, but there is a widespread feeling all over the country that the rates are excessive. It is but fair that the Government should look into the matter, and, if such is the case, see that redress is granted to the people of that country. I hope this will be done during the recess. We are willing to pay what is right and fair, but I do not think we should pay excessive rates, and the Government should act as a medium between the company and the people of that country to see that proper rates are fixed. Next session I shall enquire if the Government have investigated this matter. I call the attention of the Government to this matter in order that they may see that justice is done to the settlers. There is another matter to which I wish to call attention, namely, the rate of interest charged to farmers in that new country. Of necessity many poor people are going into that country, and many who are inexperienced and who have never farmed before. Oftentimes they get behind in their accounts. The interest law of this country is such that it allows a moneyed man to charge any rate he wishes, and the rates charged in that country by money lenders are exorbitant. I would be ashamed to tell you the rates of interest that a great many people have to pay on loans. I think there should be a maximum rate.

Hon. Mr. MACDONALD (B.C.)—Parliament cannot pass such a law.

Hon. Mr. PERLEY—Yes they can do that, because I remember not very long ago, when I lived in New Brunswick, a man could not recover more than six per cent.

Hon. Mr. DEVER—You cannot do it now unless the rate is fixed by agreement.

Hon. Mr. PERLEY—But the law should fix a maximum rate of interest. I know a man who has lost a hundred pounds by making side bargains. I say there should be some fixed rate, so as to prevent these exorbitant rates being exacted. A man will sell a binder on time, the interest to be at 8 per cent, but if the debt is not paid when it is due, he charges 12 per cent. If you are distressed and have to borrow money, you often pay 24 per cent. Hon. members may laugh, but I know that to be the case.

Hon. Mr. MACDONALD (B.C.)—I have seen 30 per cent paid often.

Hon. Mr. PERLEY—I say when a man pays 30 per cent on a farm anywhere he signs his death warrant as a farmer. He cannot do it. I have heard men before the Agricultural Committee of the House of Commons, who have been our agents down in Dakota, describe the cut-throat mortgages there—mortgages bearing 40 and 50 per cent. The result is that it has depopulated that country. Our country in a very short time will be in the hands of new men, because the farmer when he gets a little in debt will pay anything to clear off his indebtedness, trusting that something will happen to pull him through. He gives a chattel mortgage at excessive rates, or even signs a note, and cannot recover from it unless he has some other resource than his farm to obtain the money. I can quite understand those gentleman who have money to loan opposing this movement, but I know in New Brunswick a number of years ago, 6 per cent was fixed by law as the maximum rate of interest, and if by any means you got more than 6 per cent, you forfeited the principal. I know that Parliament could make such a law to-day. A Bill should be introduced and passed in this House preventing over 10 or 12 per cent being charged—that should be the maximum rate, and that is very large.

Hon. Mr. McCLELAN—Six or seven per cent would be enough.

Hon. Mr. PERLEY—Frequently you find 24 and 20 and 15 per cent charged in that country. There is a private bank in almost every town from Winnipeg to the Rocky Mountains. These men get money at 8 and 10 per cent from the banks and lend it out at 18 and 20 per cent and perhaps more. This is something more than a laughing matter; it is a matter of serious importance. People who go to that country to settle, when they get a little hard up borrow money at exorbitant rates. I claim that 10 or 12 per cent would be a good investment there, and lenders should be satisfied with it. I hope the Government will consider this matter during the recess and will next session introduce a Bill to protect our people from the extortions of the money lenders.

Hon. Mr. BOWELL—I have very few words to say in reply to the hon. gentleman. The first subject to which he called the attention of the House was that of the rates of the Canadian Pacific Railway. That is a question that has been discussed not only in this House but elsewhere. I cannot at the present moment say whether the rates are exorbitant, as indicated by the hon. gentleman. This I do know, that the last time I looked into this matter I found that the freight rates charged by the Canadian Pacific Railway Company in the North-west and in Manitoba were lower than on many railways similarly situated in the adjoining States. Whether they are too high or not I shall not discuss at this moment, but if the Company have been charging exorbitant rates—that is, rates in excess of those fixed by the Order in Council, I can assure the hon. gentleman it will receive the attention of the Government, and I will make inquiries into the matter. As to the other inquiry that is something which can only be dealt with by Parliament. It is a matter of trade, and it would be necessary to introduce a Bill fixing the rate of interest. That the hon. gentleman can do himself; it is a public question. I remember very many tussles that we have had in the House of Commons during the last 25 years over this important question. I remember it coming up with my hon. friend who sat just in front of him, when he was first elected to the Legislative Council in 1862, so it is not a new question. I am somewhat surprised to hear my hon. friend say that the rates of interest range as high as 15 and 20 per cent in Manitoba and the North-west. I know in Ontario any amount of money can be obtained upon good security at 5 and 6 per cent. The loan company—a very small one—with which I am connected lends money on good loans at 6 per cent. There was a time in Ontario, before we were flourishing as we are now, when the people were not so well off as at present, when money would bring 8, 10 and 12 per cent, but of late years I notice that it is not the case, and I am sorry to hear that it is so in the North-west. I quite agree with my hon. friend that the man who pays 15 or 20 per cent, or even 10 per cent, if he is a farmer, is mortgaging his property—I was going to say, without the intention of paying it, but whether he had that intention or not he would be very apt to lose his property. He would have to do as many others have done under similar circumstances—receive the money from the loan company and then abandon the property and let the company suffer. That is about the result when money is borrowed at such rates. If the hon. gentleman feels strongly upon the question, I would suggest to him, if he wants a very interesting debate next session, to introduce a Bill dealing with the matter, but I think I could almost guarantee him that it would never get through the House of Commons, whatever its fate might be in this House. They are too far advanced in their ideas about the right to buy and sell. I am sufficient of an old fogey to agree with the hon. gentleman, but I know the advanced feeling with respect to money and dealing with money is such that he could never get it through the House of Commons.

Hon. Mr. ALLAN—No loan company attempts to lend money at the rates that have been mentioned in the North-west, or anywhere else.

MERCHANTS SHIPPING ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (92) "An Act to amend the Merchants Shipping Act with respect to load lines."

(In the Committee).

On the first clause,

Hon. Mr. POWER—I think that we need a little more information before we pass this clause. It is a very important one, and I presume the hon. leader of the Government who has charge of it will give the House the information needed. I quite understand that it is desirable that sections 1 and 2 of the Merchants Shipping Act of 1890 shall not apply to ships registered in Canada, because I believe the new load lines provided by this Act of 1890 are calculated for steel and iron vessels and not for our wooden ships. It is desirable that there should be some regulation in Canada as to the depth to which a ship shall be loaded, and it has occurred to me that it is not at all improbable that the provisions of the Merchants Shipping Act of 1876 should apply to vessels registered in Canada, while the provisions of the Act of 1890 should not. I have not heard that there was any complaint of the operation of the Act of 1876, but the hon. gentleman will see that this Bill proposes to repeal not only the Act of 1890, which has been objected to, but that it leaves nothing to take its place. It struck me that it would probably be better to revive the repealed sections of the Act of 1876 which are repealed by the Act of 1890.

Hon. Mr. BOWELL—The hon. gentleman is a little in error in the view which he has taken of the Bill. Canada has now on the Statute-book an Act relating to the load lines of Canadian vessels. This, however, under the Merchants Shipping Act had to be confirmed or approved by the Imperial Government before it could be brought into operation. That law has never been accepted or approved of by the Board of Trade in England, and consequently the law, as it is now on our Statute-book, has been inoperative, because it has never been approved by the Board of Trade in England and consequently not brought into force by the Governor in Council, as provided that it should be, in Canada. The Bill now before the House is to repeal that portion of the Imperial Act which imposes certain restrictions upon Canadian vessels in England. It may seem strange that the Canadian Parliament is asked to repeal any portion of an Imperial Act, but that power is given to the colonies by section 547 of the Merchant's Shipping Act of England. It reads as follows:—

> "The legislative authority of any British possession shall have power, by any act or ordinance confirmed by Her Majesty in Council, to repeal wholly or in part any provisions of this Act relating to ships registered in such possession, but no such act or ordinance shall take effect until such approval has been proclaimed in such possession, or until such time thereafter as may be fixed by such act or ordinance for the purpose."

By this Act Parliament has power to repeal any portion which affects their vessels in that particular. This Bill is an instance in which the Law Clerk thought he knew better how the clause should be worded than the officials of the Department of Marine and Fisheries. In this case it was the Law Clerk of the House of Commons. He struck out of the Bill as it was originally sent to the House of Commons the words "repealed so far as they relate to or affect the ships." He added instead "declared not to apply to." I desire to have this amended by striking out the words "declared not to apply to" in the first section and restoring the words "repealed so far as they relate to or affect ships registered in Canada." That is adopting the words of the Imperial statute.

Hon. Mr. KAULBACH—What would be the effect of this? It is not only with regard to the depth which a ship should be loaded, but as to the height of the deck load. Our vessels going to the West Indies are not allowed under the Act to carry lumber on deck beyond a certain height above the rails, which is a very obnoxious measure, because the vessels constructed for that business are built to carry a deck load, and there is no danger to life or property in consequence of the lumber being piled higher than they are allowed to carry it. Will it affect the deck load as well as the depth of the load?

Hon. Mr. BOWELL—It virtually brings into force the Act as it now stands on the Statute-book as soon as it is proclaimed. As I explained just now, the Act is not in operation because the Imperial Load Line Act interferes with and restricts the trade in so far as it affects Canadian vessels, and the object of this Bill is to repeal that portion of the statute which affects our shipping, leaving the law as to deck loads and load lines precisely as it is now on the Statute-book. I have no doubt my hon. friend is better acquainted with it than I am.

Hon. Mr. POWER—Will the hon. gentleman be kind enough to read the two sections of the Imperial Act of 1890 which are repealed?

Hon. Mr. BOWELL—I have not the statute before me. If the hon. gentleman will let the matter stand until the third reading of the Bill, I will look into it. The only explanation I received was that it was desirable to repeal that portion which affected Canada. There is a difference of opinion on one point, and it is just as well to be frank with the House—it is questionable, in the minds of some who have studied this question, whether the repeal of this portion of the Imperial Statute would relieve Canadian vessels in English ports, or whether it should be confined exclusively to vessels registered in Canada within the waters of Canada, or any other waters not affected by the Imperial Act. I know it is contended by some that it would not relieve Canadian vessels in English ports. It is, however, I think the opinion of the Minister of Marine and Fisheries himself that the repeal of this Act would relieve them from the liability.

Hon. Mr. DEVER—The Minister of Trade and Commerce would not make this alteration without having the advice and support of the shipping interests of the country. No doubt they have asked the Government to make this change.

Hon. Mr. BOWELL—I think most people know, particularly those interested in shipping, that the whole shipping interest of Canada has been opposed to these very great restrictions that have been imposed upon them by what is generally known as the Plimsoll Act, and the object of this Bill is to relieve them from these restrictions.

The motion was agreed to.

Hon. Mr. MACDONALD (B.C.) from the Committee, reported the Bill with an amendment, which was concurred in.

HARBOUR COMMISSIONERS OF MONTREAL BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (99) "An Act respecting the Harbour Commissioners of Montreal."

(In the Committee.)

Hon. Mr. ANGERS moved that a second section be added to the Bill, providing that the Mayor of Montreal shall be *ex-officio* a member of the Harbour Commission of Montreal.

The motion was agreed to.

Hon. Mr. MacINNES (Burlington), from the Committee, reported the Bill with the amendment, which was concurred in.

The Bill was then read the third time and passed.

CRIMINAL CODE AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the whole on Bill (43) "An Act to amend the Criminal Code 1892."

(In the Committee.)

Hon. Mr. POWER—I wish to call attention to a slight clerical error in section three of the Code. The House will remember that the Code was put through rather hurriedly last session, and although we corrected a good many errors here, some remained. If hon. gentlemen will look at the paragraph marked "K" they will see that the word "such" should be struck out, because it refers to something which, I suppose, was in the Act out of which this language was taken, but which is not in our Code. I move that the word "such" be struck out.

The motion was agreed to.

On the tenth paragraph.

Hon. Mr. POWER—I do not see why this section should be added. There does not seem to be any good reason why the consent of the Minister of Marine and Fisheries should be considered necessary for the prosecution of an offence under sections 256 and 257 of the Code. It is perfectly proper that those guilty of the offence should be punished, but why is it necessary to obtain the consent of the Minister of Marine and Fisheries for the prosecution?

Hon. Mr. ANGERS—This is to correct an error which occurred first in the Bill of 1891, and seems to have been overlooked ever since. The section is necessary for the protection of the master from a mutinous crew. Nothing is so likely to occur as a mutiny against the captain, and a refusal of the crew to go to sea, and when the men are brought before a magistrate, they generally charge that the ship was unseaworthy. It has often occurred at Quebec, late in the fall, that sailors, not wishing to go to sea, have made charges of this kind against the master of the ship, causing such delay often as to keep the vessel over through the winter. If it is provided that the consent of the Minister of Marine and Fisheries shall be had, the crew will not be so likely to enter a prosecution on frivolous grounds. The object of the clause is to protect the ship-owners. It should be borne in mind that the master of the ship is as much interested in having the vessel seaworthy as any of his crew. I think the clause is necessary and should apply not only to sea-going vessels, but to vessels on our great lakes.

Hon. Mr. KAULBACH—I consider the clause a wise one. A case occurred in the County of Lunenburg of the kind to which the hon. gentleman refers. Some malicious sailors intimated to an insurance company that the vessel on which they were engaged was unseaworthy, and the company instead of investigating the claim prosecuted the owner. The prosecution failed to establish the charge.

Hon. Mr. POWER—There is some force in the statement made by the hon. Minister of Agriculture, but as a rule sailors do not themselves have the owner of the vessel indicted for attempting to send an unseaworthy vessel to sea. The rule is that the sailors refuse to go to sea on the ground that the vessel is unseaworthy.

Hon. Mr. ANGERS—Yes, but we want to prevent them doing that without a reasonable foundation for the charge. When there is a rise in wages the men are always disposed to refuse to go to sea—you will always find them unwilling to submit to the articles that they sign. They are ready to say that the ship is unseaworthy, and thus delay the sailing. This clause is to provide that there must be some good ground for charging that the vessel is unseaworthy.

Hon. Mr. POWER—Is it the experience in Quebec that sailors prosecute the owner or master for sending a ship to sea in an unseaworthy condition? Our experience in Halifax is that the crew, under such circumstances, refuse to go. Then when they are brought before a magistrate they plead that the ship is unseaworthy.

Hon. Mr. ANGERS—If it is made an indictable offence they will avail themselves of that means of prosecuting because the public would have to bear the expense of the prosecution.

The clause was adopted.

Hon. Mr. POWER—I have an amendment which I wish to submit to the committee at this point. I propose to restore the recommendation made by the joint committee who had this Criminal Code under consideration last session. It will come in as a section just following section 728. Sections 727, 728 and 729 deal with the jury, and the amendment which I propose has regard to the jury. I may mention that this amendment, or an amendment a good deal stronger than the one I am about to propose, was unanimously recommended by the joint committee which had this Code under consideration last session. It will be remembered by hon. gentlemen that the Code was considered in the House of Commons at a very late period in the session and the Minister of Justice, who, I was informed and verily believe, was in favour of this change, thought that at that stage in the session it was perhaps advisable not to push the matter, and after the prorogation of Parliament the Department of Justice caused inquiries to be sent to the various judges throughout the country and answers were got from a number of them. I was informed by the gentleman who was Deputy-Minister of Justice at the close of last session, that these answers were nearly equally divided. The proposition reported by the joint Committee was that in case the jury was composed of 12 members, 10 jurors could find a verdict in a criminal case. The Deputy-Minister of Justice in sending out his inquiries to the Judges unfortunately worded the provision differently, and the inquiry sent round to the Judges was whether they thought it desirable that 9 out of 10 instead of 10 out of 12 should be allowed to find a verdict of guilty. To that inquiry, as I say, the answers which came in were about equally divided. The proposition which I am about to make does not go as far as the recommendation of the Committee of last session. My proposition is simply that it shall not be necessary that the jury shall be unanimous, but that the verdict of guilty may be returned even though one member of the jury dissents. Hon. gentlemen are all perfectly aware that the ends of justice are continually defeated by some one juror who is either obstinate or a crank, or perhaps in sympathy with the criminal. A crime is committed, reasonable evidence is produced of the guilt of some particular person, and that person is brought before the magistrate; the magistrate finds there is sufficient *prima facie* evidence to commit him; he is committed and afterwards he is brought before the Grand Jury. The Grand Jury as a rule seem to think it their duty to find that the circumstances are very strongly in favour of the innocence of the accused. In fact, in a great many cases the grand jury refuse to find bills against a man of whose guilt there is very little doubt. So, justice, as you see, has to run this gauntlet. There is first the committal by the magistrate, then the case comes before the grand jury, and then the trial before the petit jury. The evidence may be so clear that the judge and eleven jurors and every one in the court are satisfied of the prisoner's guilt, but if there happen to be on that jury a man who may be a connection or a friend of the accused, a crank of some sort, or a man with peculiar views as to capital punishment, or an anarchist, or an enemy of society, that one man can render all the expense and trouble that has been taken utterly useless, and defeat the ends of justice and turn the miscreant out to prey upon society. Now, hon. gentlemen, I do not think that state of things should be allowed to continue. The hon. Minister of Agriculture when we were discussing the Bill with respect to criminal evidence, if I may be allowed to refer to that matter, was apparently under the impression that I have some sympathy with the criminal; I wish to assure him that I have not the slightest. I did not speak on the subject, but other hon. gentlemen gave the reason why they did not think the accused himself should be forced to go into the box, or that his wife should be compelled to go into the box. We are not without experience on this point of taking a verdict from a number of jurors less than the whole number. A few years ago it was looked upon as necessary that the jury should be unanimous in civil cases. I do not know just how long ago the change was made, in Nova Scotia, but I think it was some 30 years ago. In that province the jury in civil cases consists of nine persons, and seven out of the nine can find a verdict. There has never been any complaint of the operation of the law, and it has worked most satisfactorily. No one would dream of going back to the old law. When we consider all the advantages that have been conferred upon accused persons of late years, not least amongst them the advantages which are secured by the Bill respecting Criminal Evidence which passed through this House the other day, we shall not be going too far at all, in fact not far enough, if we adopt this amendment. No one could accuse us of going too far, if we say that eleven out of twelve jurors shall be allowed to find a verdict of guilty. I, therefore, move that the schedule be amended by inserting the following before the last line on the first page after section 728, as section 728*a* :—

> It shall not hereafter be necessary that the jury shall be unanimous in a criminal case, and a verdict of guilty may be returned notwithstanding the dissent of one juror.

Hon. Mr. KAULBACH—Would you not qualify that by adding "after being out of their box a certain length of time?"

Hon. Mr. POWER—You can add "after four hours' deliberation," if you think it well, but I do not see any particular object.

Hon. Mr. GOWAN—I am inclined to favour the hon. gentleman's proposition, if it came up as a distinct, independent question. I do not say so positively, but the inclination of my mind would be rather in the direction he points. I think, however, it would be exceedingly dangerous at this time to make such a vital alteration as this in respect to procedure. It would involve a thorough examination of the whole Act. I am not prepared to discuss such a subject now, but I think it would be perilous to bring it in at this time. We would have to see how it would fit in with the rest of the Code, and possibly it might cause the loss of the Bill when it went back to the Commons. I shall certainly be obliged at this period of the session to vote against it.

Hon. Mr. KAULBACH—We are making substantial alterations in the Bill now before us, and I do not see why this amendment should not be made at the same time. I think the change is a good one. It is a question which has been canvassed amongst the members of the Bar and the Bench for the last year or more, and my own experience has been that often the ends of justice have not been accomplished in consequence of some obstinate juryman being determined to stand out against all reason, and even against the judge's charge to the jury. Such a man may prevent the ends of justice being accomplished. If the words are added "after four hours deliberation," I think we could very safely pass the Bill. If, however, the passing of this amendment by us would delay or defeat the Bill, that should end the matter: otherwise I am in favour of it, and shall vote for it.

Hon. Mr. ANGERS—I cannot accept the amendment proposed by the hon. gentleman from Halifax. Even if it had been proposed at another stage of the session I am opposed to such a principle in criminal matters—the principle of receiving the verdict of only a majority of the jury.

Hon. Mr. POWER—This is not a mere majority: it is all except one.

Hon. Mr. ANGERS—Well, of the large majority, the verdict of eleven out of twelve; in principle I am opposed to that. It is not desirable in a country like ours, composed of different nationalities, where we have, especially in the province of Quebec, often a special provision for a mixed jury, that there should be any opportunity to distinguish between those who agree and those who disagree on the jury. It rarely occurs that a case has to be tried a second time on account of the jury not being able to agree upon the verdict. I do not think it occurs more than three or four times during a year in the province of Quebec.

Hon. Mr. POWER—You are singularly fortunate.

Hon. Mr. ANGERS—And that is a less inconvenience than furnishing the public with an opportunity of stating later on that such and such a juror differed from the majority because he was a Liberal, or a French-Canadian, or an Irishman. We should avoid that as much as possible, for the present, at any rate. Therefore, on principle, I am opposed to the amendment submitted by the hon. gentleman. As to the question of urgency, I do not think it is prudent or necessary to accept this amendment without a careful examination of the code to see whether this amendment will dovetail properly into it. A third reason is that the Bill that is now before the House deals only with clerical errors.

Hon. Mr. POWER—Oh, no.

Hon. Mr. ANGERS—No question of principle whatsoever is involved in this Bill. On the two grounds that I have mentioned, it is not advisable to accept this amendment, I really believe it would defeat the Bill. It might not go through the Lower House, and I doubt very much whether it would be supported by my own province, on the grounds that I have stated.

Hon. Mr. KAULBACH—As to the question of urgency, if it should be the means of defeating this Bill, as my hon. friend suggests, I would not press it. At the same time, I am not with him on the other reasons that he gave us, because I know in the province from which I come, frequently through the obstinacy of one juryman, the ends of justice have been defeated. From some tampering, or other cause, one man has been induced to hold out against all reason and against the charge of the judge: he does not give his reasons, he simply determines that he will not yield. As to the secrecy of the jury, that is simply with the grand jury. In the case of the petit jury, ten minutes after the verdict it is known how they all stand. There is nothing in the point with regard to secrecy. The province of Quebec may be an exception, but in the province of Nova Scotia, the ends of justice have frequently been defeated for want of such a provision as this which the hon. member from Halifax suggests.

Hon. Mr. GOWAN—This is really a more debateable question than hon. gentlemen suppose. The unanimity of jurors has been required for ages and a very great difference of opinion exists on the subject. It has been urged that even if eleven could give a verdict, the very moment the jurors retired to their room, their first act would be to ascertain by a general vote how they stood, and if they found eleven of one opinion they might go in and return a verdict at once, but if the twelfth man could say "Stop a moment, I have something to say to you about this: I insist upon giving my reason," they must remain. Now, the matter being one on which a great difference of opinion exists and a serious principle is involved, it would be wrong at this stage, when dealing with this technical small amendment to the Code to introduce such an important principle.

Hon. Mr. DRUMMOND—I must confess that the temperate and calm manner in which the hon. gentleman from Halifax introduced this motion commends itself largely to me, and I do not say that in regard to the proposal which he has brought out my sympathies are not very largely with him, but it does appear to me that a fatal objection lies in the fact mentioned by the hon. leader of the House, that this is a Bill merely for the purpose of making certain technical amendments to the Code, and it is of great importance that it be carried through at the present session. I therefore urge the hon. member from Halifax to withdraw his motion with the proviso that if he introduce a short Bill next session it will be considered, and I shall be disposed to go with him if I feel as I do at present, but the remarks of the hon. Minister of Agriculture and the hon. member from Barrie seem to me to put beyond question the desirability of his withdrawing his motion and not dividing the House at the present time.

Hon. Mr. POWER—I am glad to find that the hon. gentleman who has just spoken sympathizes largely with the view I entertain in this matter, but there is a certain amount of misapprehension in the minds of some hon. gentlemen who have spoken with respect to the position of the matter. In the first place, the hon. member from Barrie seemed to think that this would prevent any deliberation on the part of the jury. At the suggestion of the hon. member from Lunenburg I amended my motion by saying "after four hours' deliberation," so that eleven jurors could not find a verdict until after four hours' deliberation. That would give ample time for the twelfth juror to endeavour to convince the others and make them see things the way he did. The hon. gentleman from Barrie seems to think that this is a revolutionary change. I do not think any serious upheaval would result from it in the province of Ontario. I know none occurred in the province of Nova Scotia when it was provided that a certain number of the jury might find a verdict in civil cases, and a great many of those civil cases are of as vital importance as a criminal case. A civil suit may involve $20,000, and a criminal case may only involve imprisonment for a short time. I would not care to discuss all the reasons urged by the hon. Minister why we should not pass this Bill. He said something with respect to mixed juries in the province of Quebec, the effect of which I did not altogether catch. In Quebec there are sometimes juries composed of French and English-speaking men.

Hon. Mr. ANGERS—Sometimes ten English and two French.

Hon. Mr. POWER—The hon. gentleman's idea is that the twelfth man might be the one Frenchman.

Hon. Mr. ANGERS—Or he might be an Irishman—worse.

Hon. Mr. POWER—Supposing the party accused is a Frenchman, is there not some provision in the law of Quebec which would hinder him from being tried by eleven English-speaking jurors?

Hon. Mr. ANGERS—If he chooses.

Hon. Mr. POWER—Probably he would choose.

Hon. Mr. ANGERS—It is a matter of choice.

Hon. Mr. POWER—With the accused?

Hon. Mr. ANGERS—Yes.

Hon. Mr. POWER—And if he is a French speaking man he will probably choose to be tried by a jury of his own nationality.

Hon. Mr. ANGERS—As a rule they prefer to be tried by a mixed jury.

Hon. Mr. POWER—Suppose he prefers six of each—suppose six Frenchmen and six Englishmen are on the jury and five of the Frenchmen think he is guilty and one Englishman thinks he is not guilty, who is hurt? Reverse the position and say there are six English and five French jurors who think one way and one Frenchman thinks the other way, can any one claim that wrong could be done if the verdict of the eleven men is taken in preference to the decision of the twelfth? I do not think that there is anything serious in that objection. It must be remembered that when I proposed this amendment I was not speaking merely for myself. As I have stated already, the Joint Committee composed of a number of professional men of both Houses, considered this Criminal Code very carefully last session and they unanimously recommended this change, after due consideration. To say that it is a revolutionary change and that it would not be proper to introduce it, is not fair or reasonable. It is not fair to that committee. I gave the House some of the reasons why it was not dealt with last session, and I forgot to mention this—I do not think it was said to me in confidence, but I was informed by a gentleman who is in a position to speak with authority, that if this amendment were made in the Senate the Government were prepared to accept it in the House of Commons.

Hon. Mr. ANGERS—I must tell the hon. gentleman that he is misinformed.

Hon. Mr. POWER—That was the understanding, I think, last session, and I do not know where the hon. gentleman gets his information, but I got mine this session from what I consider the very best authority, next to the Minister of Justice. Whether the same gentleman who informed me has informed the Minister I do not know. If he has, he has simply changed his opinion since he spoke to me. Another objection taken was that all the amendments made were merely verbal. Turn to the amendment at page 165 and you will see that there has been a clause added that is an entirely new enactment, just as much so as the one that I propose. I do not think there is any substantial reason why this amendment should not pass. It is in the interests of justice and I shall not withdraw it.

Hon. Mr. KAULBACH—The hon. gentleman may be prejudiced in the future if he does not withdraw it now. Many, like myself feel in favour of it, yet in consequence of what has been said they might vote against the amendment under the circumstances, and therefore it would prejudice the matter at some other time.

Hon. Mr. ANGERS—In answer to what the hon. gentleman has said as to information he has had from some official source, I must tell him that his information is incorrect, in so far as the Government has never come to the conclusion to accept such an amendment. An amendment altering one of the vital principles of the criminal law in this country could not be made or decided upon without being first brought before the Council. This matter has never been discussed by the Council and no conclusion has been arrived at, and I can tell the hon. gentleman that the Government does not wish to make this amendment.

Hon. Mr. POWER—This is an entirely new view of the functions of the Governor in Council. I do not think all the provisions of the Criminal Code were considered last year in detail by the Governor in Council.

Hon. Mr. ANGERS—They are supposed to have been. The Minister of Justice introduced the measure, and his colleagues, I suppose, took it for granted that he would not do anything improper, and he introduced the measure on his own responsibility. I never said that the Government, as a Government, had considered the matter and decided to accept it, but I explained what I had been given to understand by the best authority next to the Minister of Justice. If the Minister of Justice were willing to accept, I do not imagine that any of his colleagues would object to it.

Hon. Mr. GOWAN—Unless my hon. friend will withdraw his resolution it would embarass those who would, and probably will, endorse the subject of his motion at a future time, but it would be improper to adopt a vital principle of that character at this period of the session; I do not think the amendment would be likely to be carried in the Lower House if it were inserted; therefore, although I would rather not do so, I must vote against my hon. friend's amendment if he persists in it.

Hon. Mr. LOUGHEED—There appears to exist some misapprehension in the minds of hon. gentlemen in regard to the position of the Government last session in regard to amending the jury law as it stands at present. The Committee were certainly under the impression at the time it was submitted to them that there was a disposition on the part of the Government to accede to the proposition as it had been proposed. In British Columbia the majority of the jury in criminal cases within the jurisdiction of the County Court can agree upon a verdict. Of course we in the Territories are placed in a different position from the provinces, inasmuch as we have only six of a jury. Although it requires unanimity in the Territories, so far as the jury is concerned, yet if a jury of six in that part of Canada can bring in a verdict against a prisoner, I should say that the same justice should be meted out in the provinces—at least, what is good enough for the people in the Territories should be good enough for the people in the provinces. Consequently a verdict say by eleven in the provinces should insure to the accused the same measure of justice as a verdict by six jurors in the Territories. I would be very sorry, however, if my hon. friend from Halifax should, so late in the session, press his motion upon the House. I merely desire to record the views which I hold in relation to this subject, and I would ask my hon. friend in view of the opinions which have been expressed by some hon. members of the House—opinions which are in sympathy with his own—that he withdraw the motion for this session and doubtless next session the Government will give fuller consideration to the subject.

Hon. Mr. ANGERS—It has been stated that in the North-west Territories the jury is composed of six, and six bring in a verdict.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. ANGERS—We only want the same principle. Whatever may be the number of the jury, we want the unanimous verdict. If it had been proposed in the Lower House that the number of jurors be limited to eight or ten, it might not meet the same objection that I now make. We want a unanimous verdict, whatever may be the number of the jurors.

Hon. Mr. POWER—I do not wish to prolong this discussion. I might express my own opinion as to why the hon. gentleman does not want the amendment, but I shall not. I say that in deference to the opinions that have been expressed, I will, with the permission of the hon. gentleman, withdraw the amendment. There were some other amendments which the code needed, I presume, and we had better let them go, as they are clerical amendments. It is not the desire of the Government to make the measure perfect—it is their desire to get it through.

Hon. Mr. ANGERS—Oh, no, it is to make it perfect.

Hon. Mr. VIDAL, from the Committee, reported the Bill with amendments, which were concurred in, and the Bill was then read the third time and passed.

The Senate adjourned at six o'clock.

SECOND SITTING.

The Speaker took the Chair at eight o'clock, P.M.

Routine proceedings.

MERCHANT SHIPPING ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. BOWELL moved the third reading of Bill (92) "An Act to amend the Merchant Shipping Act, with respect to load lines." He said:—The third reading of this Bill was delayed to enable us to examine the sections to be repealed. I think the hon. gentleman from Halifax is satisfied that the repeal of all the sections mentioned is necessary.

The motion was agreed to, and the Bill was read the third time and passed.

DRUMMOND COUNTY RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. McMILLAN moved the second reading of Bill (71) "An Act respecting the Drummond County Railway Company." He said:—This is a Bill to give additional powers to the company whose charter was obtained, in 1886, from the Quebec Legislature and amended in 1889. They built 65 miles of their road, and now they want to come under the Dominion laws and be given power to extend their line from St. Leonard's to a point on the Intercolonial Railway in the county of Levis.

The motion was agreed to, and the Bill was read the second time.

CARLETON BRANCH RAILWAY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (122) "An Act to confirm the sale of the Carleton (city of St. John) Branch Railway."

The Bill was read the first time.

Hon. Mr. BOWELL moved, that the 41st rule of the House be suspended and that the Bill be read the second time presently. He said:—In reference to this Bill, I will make the explanation necessary to induce the House to allow it to be passed through all its stages to-night. By an Act passed in 1890 or 1891, the Minister of Railways and Canals was authorized to enter into an arrangement with the city of St. John, N.B., for the sale by the Government of what is termed the Carleton Branch, on the payment to the Government of $40,000. That sum has been paid and a transfer has been made; this Bill is simply to confirm the arrangement which has been made by the Government with the city of St. John for the transfer of that branch.

Hon. Mr. DICKEY—The arrangement has been carried out, I understand?

Hon. Mr. BOWELL—Yes.

The motion was agreed to.

The House resolved itself into Committee of the whole on the Bill.

Hon. Mr. MacINNES (Burlington), from the Committee, reported the Bill without amendment, and the Bill was then read the third time and passed under a suspension of the rules.

PATENT ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (110) "An Act further to amend the Patent Act."

The Bill was read the first time.

Hon. Mr. ANGERS moved that the rule of the House be suspended and that the Bill be read the second time presently. He said :—The object of this Bill is to compel applicants for patents to furnish the Department with the claim or claims in triplicate. It also provides that the Deputy-Commissioner of Patents may be authorized to sign the same as well as the Commissioner. It provides that where more than one application for a patent is made in one notice, the fee of $2 be collected for each patent mentioned in the notice, and that if a partial fee only is paid, the proportion of the fee paid shall be stated in the patent, and the patent shall, nowithstanding anything therein or in this Act contained, cease at the end of the term for which the partial fee has been paid, unless at the expiration of the said term the holder of the patent pays the fee required for the future term of six months. That is the main object of the Bill. The object of allowing the Deputy-Commissioner of Patents to sign, is to avoid a delay when the Commissioner of Agriculture is away or engaged in other business : and there is no reason why the Deputy-Minister should not have that power. There are several thousands of those patents issued every year.

Hon. Mr. POWER—The principal object of the Bill—if that is the one just mentioned by the hon. gentleman—is a perfectly right and proper one. The Deputy-Commissioner is the only person who has to do with the patents, and it is a mere piece of red tape and unnecessary formality to require the signature of the Commissioner, who is the Minister, I understand. There is one provision to which the Minister referred which needs some explanation. He said that it was proposed that the plans and specifications should be sent in to the Department in triplicate.

Hon. Mr. ANGERS—Not the plans, merely the claims The plans are sent in duplicate, but it is required that the claims should be sent in triplicate. One copy remains in the office, one copy is annexed to the patent as it is issued, and the third copy is for the Printing Bureau, so as to save the Department the trouble of making a copy of a long and technical document.

Hon. Mr. POWER—The explanation is thoroughly satisfactory.

The motion was agreed to, and the Bill was read the second time and referred to a Committee of the Whole House.

(In the Committee.)

Hon. Mr. POWER—Does this Bill say that section 21 is repealed? I wish to call attention to the fact that the subsection of section 21 was apparently dropped altogether, and that was one of some importance. If instead of repealing section 21, you repeal the first section of 21, it would probably answer just as well.

Hon. Mr. ANGERS—There is no discussion about the application. There seems to be very little reason why it should be referred to the Minister of Justice, because only questions of law should be referred to him. The technical questions that may arise must be decided by the officers of the Department, who are specialists in this matter, and of course the Department would not think of granting a patent when there was a disputed claim upon it.

Hon. Mr. POWER—I am able to speak rather feelingly from a little experience I have had in connection with applications for patents at Washington. The people who are applying for patents, and the public generally, need all the protection they can get. The second subsection of this section 21 is a very valuable one. It tends to prevent litigation ; everybody knows there is hardly any subject which is a more fertile source of litigation than the acquiring of patents. It is very important that where questions do arise the opinion of the Deputy-Minister—not necessarily the Minister of Justice—should be had in the first instance, so as to be sure that the man who thinks he is getting a patent is really getting a valuable right, and is not simply getting hold of a lawsuit. I do not think we should part with that second subsection.

Hon. Mr. ANGERS—I have no objection to adopt the suggestion if hon. members think it is necessary, but as a rule whenever there is a disputed claim it is submitted to the Minister of Justice before the Department can deal with it. On technical questions, as to whether it is a real invention or not, the Department decides. If the amendment is accepted by the House, I have no objection to it: we might say the first part of the 21st section.

Hon. Mr. DICKEY—I am very glad that the Minister has taken this course, because otherwise, if this subsection was repealed with the other part of the section, there would be no protection at all, even where a dispute might arise on a legal point.

The amendment was agreed to, and the clause as amended was adopted.

Hon. Mr. POWER—I notice in subsection 2, relating to the payment of fees, the words "or before" are struck out. It should be "at or before."

Hon. Mr. ANGERS—Those words were in the Bill as introduced in the House of Commons and were there struck out. Of course, that would not debar any one from sending the fee beforehand, and I thought it would not be worth while to insert the words in the Bill after they had been struck out by the House of Commons. It would cause delay and trouble for a trifling matter. Everybody will understand that common prudence will require the fees to be mailed a little in advance in order to have them reach Ottawa in time.

Hon. Mr. POWER—The action taken by the House of Commons seems extraordinary. It may happen, for instance, that the representative of the patentee is in Ottawa a month before the expiration of the patent, and has taken that opportunity to pay the fee. What the motive of the House of Commons was in striking out those words it is difficult to understand.

Hon. Mr. ANGERS—I did not understand it either: but suppose the patentee happened to be in Ottawa a month before the expiration of the patent and offered the fees, the hon. gentleman will understand we never refuse them.

Hon. Mr. DRUMMOND—I understand that the shortest term of a patent is six years and that it can be extended for twelve years longer. Suppose after the end of the first year the inventor wishes to extend the patent for the full term can he do so?

Hon. Mr. ANGERS—Certainly; that is the way I understand it.

Hon. Mr. DEVER, from the Committee, reported the Bill with an amendment which was concurred in.

The Bill was then read the third time and passed.

THE DRUMMOND COUNTY RAILWAY COMPANY'S BILL.

A QUESTION OF ORDER.

Hon. Mr. DICKEY—I should like to call the attention of the House to the position in which we stand with reference to the Drummond County Railway Bill. I am asked, as Chairman of the Committee on Railways, to call a meeting of the Committee for to-morrow morning. I am quite prepared to act, as I am sure every member of the Committee is, but I am placed in a position of difficulty in which I should like to take the counsel of the House. The rules of our House require that a Bill shall not be considered in Committee until after twenty-four hours' notice. It has been suggested to me that that was evidently intended to mean a sitting of the House, and, if that be a correct interpretation of the rule, as the second sitting of the House to-day has been counted a separate day, the Committee might meet to-morrow morning and consider the Bill. The difficulty in my mind arises entirely from the fact that this might not be considered twenty-four hours' notice. Substantially it is, because the Bill has had two distinct stages to-day. If there is any doubt upon that point, it is but fair and right, after the manner in which we have suspended the rules of the House in other cases, that the parties should have an opportunity of presenting their claims for incorporation. I have been pressed to call a meeting of the Committee, but have refrained from doing so until I know what the feeling of the House is on the subject.

Hon. Mr. BOWELL—I think the remarks made by the hon. member from Amherst are correct, so far as they apply to the rule itself. It was understood, I should judge, when that rule was adopted, that it contemplated the intervention of twenty-four hours between each sitting of the House. I can scarcely suppose it would mean that if the Committee sat to-morrow, and the House did not adjourn until 9 or 10 o'clock at night, it would preclude the consideration of the Bill by the Committee the following day. Literally interpreting the rule, it would mean twenty-four hours from the time when the second reading passed this House before it could be considered by the Committee. There has been some little latitude, I have noticed, in the interpretation of the rules here, and the rule might be construed as meaning from one sitting of the House to another, but whether it was contemplated to apply the rule to a case like this, where there have been two sittings in one day, I cannot say. There is an easy way of getting over the difficulty. The House might consent to suspend the rule, but I very much fear that such a course would be objected to by some of the members who are opposed to this Bill.

Hon. Mr. DICKEY—I mentioned it because it is the only Bill that will be referred to us, and I did not like to give thirty or forty gentlemen the trouble of meeting and doing something that might be disallowed by the House. As the rule has been suspended in so many cases, I thought it might be dispensed with in this case.

Hon. Mr. VIDAL—In endeavouring to interpret the meaning of one of the Rules of the House, it would be well to think for whose benefit the rule has been made. Is it for the benefit of the members of the Senate or for the benefit of persons outside, that they may have due notice that the Bill is to be considered? My opinion is that twenty-four hours must elapse between the second reading of the Bill and its consideration by the committee. Unless the rule is suspended by the consent of the House, the Bill could not go before the committee to-morrow.

Hon. Mr. POWER—I did not understand the leader of the House to express any decided opinion on this question, and I do not think that our practice has been of the rigid character indicated by the hon. gentleman from Sarnia. I have very frequently known Bills to be considered by the Committee within twenty-four hours after the second reading, without the notice required by the Rules. In this particular instance the parties who are interested have been here, and their representatives are here now in force, so that there is no harm being done. We are suspending the rules on behalf of the Government measures, and pushing business through. Is there any particular reason why this Bill should be made a sort of scapegoat for the laxity which has been shown in dealing with other Bills, some of which are not so meritorious? No substantial reason has been given why this Bill should not pass. It was not opposed in the House of Commons, and the fact is just this—the company has built some sixty miles of road through a good and populous country, and proposes to build some sixty miles more. The company is not asking Parliament for any aid or special privileges. I think it one of the most meritorious private bills that we have had before the House this session. Although the twenty-four hours notice might be required if we were interpreting the rules strictly, I would remark that we do not interpret our rules strictly, and the Chairman would have been justified in thinking that the notice was sufficient. The Forty-second Rule provides that measures are sometimes passed with unusual speed, and now at the close of the session, is just the time when measures are being passed with unusual speed. I do not see why a different measure should be dealt out to this Bill from that which has been applied to all others. It is a case for liberal construction and a liberal construction of this rule would allow the Bill to go before the Committee to-morrow morning. I think the Chairman would have been quite justified in calling the Committee without referring the matter to the House and reporting the Bill to the House.

Hon. Mr. McMILLAN—I do not know that I am particularly interested in this Bill—in fact I know very little about it although it is in my charge. I agree with the hon. member from Halifax—I do not see why this Bill should be made a scapegoat at the tail end of the session. It certainly will not help those who are opposed to the measure when it comes before the Railway Committee, to be raising all these technical objections at different stages of the Bill. I would rather see the hon. gentleman accept the motion to suspend the rule and fight the Bill for all it is worth before the Committee. If he has a good case, if he has a valid objection to the granting of this charter, I am satisfied that the Railway Committee will deal with the subject on its merits. I hope the hon. gentleman who has opposed it at the different stages will not oppose the suspension of the rule. As I understand the Chairman of the Committee, he cannot accept the twenty-four hours as meaning from one sitting to another.

Hon. Mr. ALLAN--This is really a case where the House is called upon to decide between observing the strict letter of the law, and considering the Rules in a liberal spirit as applicable to the measure before us. If this were a case where the parties interested in the passage of the Bill, or opposed to it, were at a distance from the Capital, the House would not be justified in allowing any deviation from the rule, but I understand no opposition has been made to this Bill in the House of Commons, and no opposition has been made here except by one hon. gentleman, and I am also given to understand that the parties have been here, and are here now, and that no injustice can be done to anybody by construing the rule liberally and letting the Bill go before the committee to-morrow. The House would be acting in the right spirit in the matter if they adopted that course.

Hon. Mr. VIDAL—Like my hon. friend, I should be very much better pleased if those interested parties would consent to a suspension of the rule, but I would not join in forcing it if they are not willing to consent to it.

Hon. Mr. GUÉVREMONT (In French.) I regret exceedingly that I cannot assent to the proposition to suspend the rule with regard to this Bill. I object to it for several reasons. The first is that persons outside of the Senate are opposed to the Bill, and reposing confidence in the members of this Chamber, they would adhere strictly to a rule calculated to delay the consideration of a Bill designed to injure a large number of residents in the locality where the railroad is to be built. They have gone away. It would be unfair to them to suspend the rule and proceed with the Bill, without giving them a chance to come and present their reasons for opposing it. The hon. member from Halifax has said that no opposition was made to the Bill in the other House: if I remember correctly it was opposed in the Railway Committee of the other House. I do not know what particular reason the hon. member from Halifax has for wishing to see this Bill passed in opposition to the wishes of the people of the province of Quebec. Why did the Bill not pass before the Quebec Legislature at its last session? The company obtained their charter originally from the Quebec Legislature. They appeared before the Legislature at its last session asking for an amendment to their charter; why then, will the hon. gentleman from Halifax tell me, did the Legislature of Quebec deem it necessary, knowing the needs and wishes of the people of that locality, to refuse that legislation? I believe that we should respect the decision of the people of the province of Quebec, knowing, as they do perfectly, the circumstances of the case and the needs of the people of that locality. We should trust to the judgment of the Local Legislature, and enforce the Rules of this House with regard to this Bill.

Hon. Mr. POWER—The hon. gentleman makes a very good fight for his clients. He tells us that the people who are interested in opposing this Bill left Ottawa, and that they went away relying on the rigid enforcement of these technical rules against this Bill, and that, having been here and having gone away relying on these technical grounds, they are not in a position to appear before the Committee to-morrow to oppose the measure. I do not think that, in the first place, that is a ground of objection that would commend itself to the members of this House. The hon. gentleman knows perfectly well that the parties who oppose this Bill have, in himself and in some of his colleagues, the strongest representatives they could have. There is not an objection to be taken to this Bill before the Committee that the hon. gentleman is not in a position to present just as well as any of the gentlemen who have gone away to Montreal. Consequently, there is nothing in that argument. Then the hon. gentleman makes some reference to my having taken an interest in this Bill. Coming from the province of Nova Scotia, I am even more interested in the success of this undertaking than the hon. gentleman is, because the road, for the construction of which this company is asking power, is a line which will connect with the Intercolonial Railway, and afford freight to and from the province of Nova Scotia a better line than the Grand Trunk Railway offers. I should be very sorry to see an important measure of this kind blocked by a mere technical objection, taken in this way at the close of the session. With respect to the question of order in this House, while the decision of the Speaker is always treated with respect, the Rules provide that, when it comes to an interpretation of a Rule, the House has a right to deal with the matter. If there is any doubt as to the meaning of a Rule, the House has a right to decide what shall be the interpretation of that Rule, and, if it is the decision of the House that the Committee could meet tomorrow and consider this Bill, there is nothing to prevent the House so deciding.

Hon. Mr. MASSON—The hon. gentleman from Halifax asks why this Bill is opposed. The hon. gentleman from Sorel explained in French that the Bill is distasteful to the province of Quebec—that it was presented to the Legislature of Quebec at its last session, and was thrown out. These parties, having failed there, have come here for legislation which is distasteful to the province.

Hon. Mr. POWER—It does not follow that it was distasteful to the people of Quebec because it was rejected by that legislature.

Hon. Mr. MASSON—Oh ! oh !

Hon. Mr. POWER—One can readily understand how that would happen. The Great Eastern Railway Company, represented by the hon. gentleman from Sorel, have a right to build a line close to the south bank of the St. Lawrence river. There is a considerable population there, much more than in the interior where this road proposes to go, and one can readily understand that where the majority of the votes are, there the majority of representatives would be also. I can readily understand that the representatives of the counties facing on the St. Lawrence river, would not—looking at the thing from a local point of view—be anxious to have this road constructed, because they might be under the impression that that would interfere with the construction of the other road. The Great Eastern Railway Company has had a charter for I think fifteen years, and has made almost no progress. I do not think that the older company ought to be allowed to stand in the way of a live company which shows what it is prepared to do by what it has done.

Hon. Mr. DE BOUCHERVILLE—I do not think the question is whether the Bill should be supported or not ; the question is as to the interpretation of the rule of the House. Although the hon. member from Halifax is generally in the right, he is a little mistaken in the way he has put the question to-day. If this Bill had been read the second time at the first sitting, this sitting might be considered a whole day, and to-morrow a whole twenty-four hours on account of there having been a sitting between the second reading and the reference to the committee, but in this case there will be no sitting between the second reading and the sitting of the committee, and, therefore, I do not think the interval can be taken as a day. Certainly if we were discussing the details of the Bill the reasons given by the hon. member from Sorel are very strong. If any one is interested in this Bill it is certainly those who come from the province of Quebec, and I dare say a majority of them would be opposed to this Bill. But that is not the question ; the question is shall the rules be adhered to or not. If any one is opposed to the Bill he has a right to take advantage of the Rules of the House and these rules cannot be changed except by unanimous consent. No notice has been given of the proposition to suspend the rule and the question cannot be discussed. I do not see how my hon. friends can think there is any doubt that twenty-four hours cannot be interpreted in any sense than at least one sitting having taken place between the second reading and the reference to the committee.

Hon. Mr. McMILLAN—I move

That in the opinion of this House the construction of the rules will permit the committee to meet and consider this Bill to-morrow morning.

Hon. Mr. DE BOUCHERVILLE—There must be a notice of that motion.

Hon. Mr. MASSON—Such a motion cannot be put without notice.

Hon. Mr. POWER—I do not see that the motion is out of order. The question of order has arisen with reference to this Bill, and the hon. gentleman wants to take the opinion of the House on the question of order. He has a right to do that.

Hon. Mr. MASSON—What is the question before the Chair? The hon. gentleman had no right to put that question. He can only put a question when he gives notice of it; otherwise the House does not know of it. I have not examined the rules sufficently to know whether we can, by our *ipse dixit*, change the Rules of the House. The Rules are framed for the protection of the minority, and the majority cannot change them. The Rule says that you cannot dispense with any of the Rules if one member objects. The hon. gentleman is endeavouring to make the House declare that we shall not follow the Rules: that is tantamount to changing the Rules.

Hon. Mr. McMILLAN—The Chairman of the Committee has asked the House for instructions, and I think the House should give him these instructions.

Hon. Mr. MASSON—No hon. member has a right to ask for instructions. He can ask the opinion of the House as to what he might do in an informal way. He has no right to ask for instructions, because other instructions cannot be given to him unless a motion is made. The House can only manifest its feeling by means of a motion. I appeal to the hon. member on the other side who has just spoken and ask him, can a motion like this be sprung upon the House without giving notice, unless it is a question of adjournment.

Hon. Mr. BOWELL—This whole discussion is as irregular as it could possibly be, but, as the hon. member who has just spoken indicated a moment ago, it arose from a difficulty that presented itself in the interpretation of the rule by the Chairman of the Railway Committee. I do not think my hon. friend from Alexandria can make the motion he has presented. The only way to arrive at it would be to make some motion, and, if it is declared out of order by the Speaker, appeal to the House against his decision. This mode is irregular. If the hon. gentleman desires to put an interpretation upon the rule which many of us think it would not bear, the only way he can do that is by giving notice and bringing it up to-morrow morning at the next sitting of the House. It would be somewhat difficult to declare by resolution that a rule should be interpreted in direct opposition to the wording of the rule itself. You might pass a resolution repealing that rule and substituting another, and then declaring what its meaning should be, but certainly it would be, not only irregular, but something unprecedented, to pursue the course that my hon. friend suggests now.

Hon. Mr. DICKEY—I gather from the expressions of hon. gentlemen, more particularly on the other side of the House, that I shall be obliged to call the Committee together at a future date.

Hon. Mr. POWER—After the next sitting.

The Senate adjourned at 9.30 p.m.

THE SENATE.

Ottawa, Thursday, March 30th, 1893.

The SPEAKER took the Chair at 11 o'clock.

Routine proceedings.

THE PRINTING OF PARLIAMENT.

MOTION.

Hon. Mr. READ (Quinte) moved the adoption of the Sixth Report of the Joint Committee of both houses on the Printing of Parliament. He said:—This report was read at length at the Table yesterday. It provides that certain documents be printed, and that certain documents be not printed, and also recommends that a copy of Blatch's Ready Reference to the Statutes of Canada be supplied to each member of both branches of the Parliament, and other minor matters.

Hon. Mr. POWER—I cannot approve of the item providing for the purchase of the "Ready Reference" for each member of both Houses. This book may be of some use to lawyers, but few of the members of the House will look at it; and this will involve a large expense at a time when the Government are endeavouring to reduce expense, as they did when dealing with the messengers. I think the Committee should recommend that any member who wishes to get this Ready Reference might have it in the place of stationery. This is just one of those cases which we often have of hon. gentlemen trying to do a good turn for their friends outside at the public expense instead of doing it at their own.

Hon. Mr. READ—My recollection is that the price is only 80 cents a copy.

Hon. Mr. McCLELAN—I understood that the feeling of the committee was that it was not important to lawyers, who were supposed to know all about the law already, but that it might be useful to laymen.

Hon. Mr. VIDAL—Although a member of that committee, in my judgment, they have gone entirely outside of their duties and powers in making a recommendation of this sort. As a Printing Committee, we are called upon to judge of the propriety of printing documents submitted to the House, and I do not think it comes within the duties of that committee to make grants. It appears to me that that should be left to tha Committee on Contingent Accounts, or at any rate, to some other committee than the Joint Committee of both Houses on Printing.

Hon. Mr. ALLAN—It ought to come before the Library Committee.

Hon. Mr. GOWAN—It was referred to the Hon. Mr. Power and myself. Hon. Mr. Power did not quite agree with me, but I appeared before the Committee and represented the point wherein we differed. At the same time, I was able to bear testimony as to the usefulness of the book, not so much to a lawyer as to a layman, and being somewhat familiar with the Statutes for many years, I recognized the value of this book. It is just the plan I adopted myself years ago, and it is a good means for any one, whether a gentleman learned in the law, or a layman, to keep track of the Statutes as they pass, and I very strongly recommend the purchase of the book. The committee were unanimous in recommending it.

Hon. Mr. KAULBACH—I take the same view as my hon. friend from Halifax. I do not consider it of much value for laymen. Lawyers, of course, would keep altering it to meet the amendments in legislation, but you could hardly suppose a layman could do that. Without these amendments it would be useless as a guide. I said last session that I did not think the Printing Committee had a right to vote or recommend the granting of money for any purpose. There are other gentlemen, I believe, who have written a guide to the Statutes just as meritorious as this one, but for some reason, of which I am not aware, this one is recommended by the Committee. I think all the members who want it should buy it for themselves.

The motion was agreed to.

CIVIL SERVICE SUPERANNUATION BILL.

FIRST AND SECOND READINGS.

A Message from the House of Commons was received with Bill 27 " An Act to amend the Civil Service Superannuation Act."

The Bill was read the first time.

Hon. Mr. BOWELL moved the suspension of the rule as regards this Bill, and that the Bill be read the second time.

Hon. Mr. POWER—I shall object to the rule being suspended any further than permitting the second reading. I do not object to the second reading.

The motion was agreed to, and the Bill was read the second time.

BILL INTRODUCED.

A Message was received from the House of Commons with Bill (123): " An Act respecting the Voters' Lists of 1893."

The Bill was read the first time.

INQUIRY.

Hon. Mr. BELLEROSE—I would like to know when I may expect the returns to my motion with reference to the Experimental Farm.

Hon. Mr. ANGERS—I am surprised that the hon. gentleman has not received this yet. I have often applied for it, and I think the delay is due to the absence of some of the officers of the Department, but I shall be willing to show it to the hon. gentleman in case it should not be laid on the Table before the House closes.

The House adjourned at 12.15 p.m.

Second Sitting.

The SPEAKER took the Chair at 3 o'clock.

Prayers and routine proceedings.

PUBLIC PRINTING ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

Hon. Mr. BOWELL introduced Bill (X) "An Act to amend chapter 27 of the Revised Statutes intituled an Act respecting the Public Printing." He said:—This is a very short but a very necessary Bill for the proper working and management of the Intercolonial Railway. The House is aware that a change has been made by which the headquarters of the Intercolonial Railway are now at Moncton, from which station all orders are issued affecting the railway. Under the law as it stands relating to the printing of Parliament and all other Government printing, the Intercolonial Railway officials at Moncton, St. John, Halifax, and Quebec are prevented from even printing the tickets neccessary, or a time-table when it may be neccessary to make a change. The Bill is to give authority to the Railway Department to have that kind of printing performed where it is most convenient in the public interest. The power given here is simply to enable the superintendent at Moncton or at Quebec in case they should require railway tickets or a time-table, to have it done there without sending it to Ottawa. The inconvenience which would arise from having to get the work done here will present itself to every member of the House. This leaves the auditing of the accounts to the Queen's Printer and Auditor-General at Ottawa, so as to prevent the possibility of any overcharge.

The motion was agreed to, and the Bill was passed through all its stages under suspension of the rules.

THE RULES OF THE HOUSE.

MOTION.

The Order of the Day being called, "consideration of the report of the special Committee appointed to revise the orders, rules and forms of proceeding of the Senate."

Hon. Mr. POWER moved the adoption of the report and explained the changes proposed. He said:—The Committee thought that they would not make any recommendation to the House as to the action which should be taken upon these rules now. There is a good deal to be said in favour of allowing this draft to stand over until next session so that each hon. gentleman may have a copy of the draft and consider it during the recess, if he is so disposed, so that when we meet again (which I hope we may all next year) this draft can be referred to a Committee and any amendments that may have suggested themselves to the members of the Senate during the recess may then be considered. Of course if the House think well to adopt the rules at once, notice should be given, because under our rules a day's notice is required to make a new standing order, and it would be necessary now to give notice for Saturday. I have moved the adoption of the report, which does not imply that the rules are to be dealt with at once, and I leave it to the House to decide whether the rules shall stand over until next session.

Hon. Mr. DE BOUCHERVILLE—I understand that these rules are to be printed.

Hon. Mr. POWER—They are printed now. Any hon. gentleman who wishes to examine them can do so in this form quite as conveniently as in any other form.

Hon. Mr. DICKEY—I should like to make a suggestion to the leader of the Government with respect to the last point that was adverted to by my hon. friend as to the time when these rules shall come into operation. That ought to be well thought of before we come to any conclusion upon it for this reason, that it would be manifestly a most inconvenient thing that these rules should go into operation at any period of the session except the beginning of the session. Otherwise you would have one set of rules in operation for a portion of the session, and for the remainder of the session would have these new and revised rules. It would lead to a great deal of entanglement and difficulty in the application of these rules, but it would be simplified if we could start fair. If the House will place confidence in the labours of the Committee and on Saturday will conclude to adopt these rules, they will be in shape to go into operation at the beginning of next session. There is a manifest convenience in that course, and certainly there is an equally manifest inconvenience in any course which would require them only to take effect after the first ten or twenty days of the ensuing session. I leave it to the House to consider what is best to be done.

Hon. Mr. SCOTT—I was not able to attend all the meetings of the committee, but I observe there are some of the rules which certainly require further consideration. I can see no harm in allowing them to stand over until next session. No embarrassment could arise by having them take effect some time next session. Looking over them, I find rule fifty-seven practically is predicated on the assumption that private Bills may go through this House without a petition being presented. We should have a petition presented before any Committee should consider the Bill. If we adopt this rule it will strengthen the belief which is growing more and more every year, that parties can present a petition in the House of Commons and get a Bill through there, and when the Bill comes here it will as a matter of course be referred to the Standing Orders Committee. We should adhere to our rules and insist upon having a petition presented here; and if the petition is not presented at the right time, we should require them to go through the form of petitioning for leave to petition. I see no inconvenience to result from letting the rules stand until next session.

Hon. Mr. BOWELL—I am in precisely the same position as the hon. member from Ottawa. It has been my misfortune not to be able to attend the meetings of this committee, other duties having made greater demands on my time. I fully concur in the remarks made by the hon. member from Amherst, and also, in the remarks made by the hon. member from Ottawa, so far as the adoption of the report is concerned. It would be highly inconvenient to bring a new set of rules before the members of the House with a view to having them come into force in the middle of a session, and yet from what has just fallen from the hon. member from Ottawa, I think it is equally important that we should not adopt these rules until the next session of Parliament. Then, after a thorough consideration of them during the recess, if we think proper to adopt them next session they could be made to take effect from the beginning of the second session after this. There is no difficulty in that. I do not think it is proper to discuss the merits of these rules now, but I am strongly impressed with the correctness of the views of the hon. member from Ottawa in reference to the passage of Bills through either House without having been petitioned for, the petition in each case setting forth what is required and what is intended by the Bill. Private interests may be materially affected by the omission of anything from a petition, and I think the rule in the House of Commons, in the Private Bills Committee as well as in the Railway Committee, has invariably been, unless good reasons were shown for departing from it, not to make any concession in a Bill that is not embraced in the petition, the object being to prevent the possibility of any person or any interest being taken by surprise. The suggestion, I understand, before the House at the present moment is simply to accept the report and to consider on Saturday next as suggested by the hon. member from Halifax, whether he should proceed with it this year or let it stand until next session.

Hon. Mr. KAULBACH—Had we not better take it up now? I think we had better decide now whether these rules should be dealt with next session or not. On Saturday we shall have a very thin House. I am only surprised that there are so few alterations in the rules. I thought there would be a great many more. No doubt the Committee looked carefully through them and it shows that the rules were not so defective as some of us thought they were. As to the Contingent Accounts Committee, I think it will be more workable with the reduced number, and the public interests will be more carefully guarded. It is better to move that the consideration of the rules take place next session. It is useless to go to the expense of putting this in book form when it is before us in the most convenient form.

Hon. Mr. BOWELL—I would suggest that a sufficient number of these copies be printed so that each member of the Senate may have a copy.

Hon. Mr. POWER—That was the understanding. The opinion of the House, so far as one can gather it from the remarks which have been made by hon. gentlemen, is in favour of letting the draft stand over for consideration until the beginning of next session. I may say that that was rather my own inclination. It is desirable to make our rules as nearly perfect as possible and probably after the consideration which may be given by hon. gentlemen to this draft during the recess, next session they will be made more nearly perfect than these rules are as submitted. I move that the consideration of the draft be postponed until the next session of Parliament.

Hon. Mr. DICKEY—In reference to what has fallen from the hon. member from Ottawa, about the presentation of a petition, there is no alteration made in the rules with regard to that. It remains as it has always been. There has been a question about it. I remember well Sir Alexander Campbell stated as his opinion that the rules as they stand and as the draft stands would require a petition for every private Bill to be presented to this House, no matter whether the Bill originated in the House of Commons or not. I was of a different opinion, but we both agreed that it was very desirable that there should be a petition, for the reasons which have been given by the leader of the House to-day.

Hon. Mr. POWER—The rule of the House of Commons is the same as our rule. If a petition has been presented to the House of Commons, and the House of Commons has considered the petition and has passed the Bill through all its stages, I doubt very much whether we have the constitutional right to refuse to deal with that Bill. I doubt if we have the right to alter that rule so as to require a petition to be presented to this House.

Hon. Mr. BOTSFORD—I was chairman of a committee appointed to revise the rules some years ago, and I know the difficulty of making any alterations. It is very difficult in a hurried way to put the true value on the construction of any rule that might be made. At that time copies of the rules were furnished to every hon. member, and an opportunity was given to consider them thoroughly. Some changes were proposed, but not so many as have been suggested by the committee this session. I should like to consider thoroughly the bearing of these rules, and therefore I hope the consideration of them will be postponed until next session.

The motion was agreed to.

CIVIL SERVICE SUPERANNUATION ACT AMENDMENT BILL.

THIRD READING.

The Order of the Day being called, Committee of the whole House on Bill (27) "An Act to amend the Civil Service Superannuation Act."

Hon. Mr. BOWELL said:—This Bill is of some importance, and I may add that it is not the Bill that I thought it was that was reported from the House of Commons this morning. When I moved the suspension of the Rules this morning I thought it was the Bill regulating the insurance of the civil servants. The Bill before the House is one changing materially the laws regulating the superannuation of civil servants, and consequently is somewhat more important than the other. The measure has been fully discussed in the other House, and I am not sure whether the members of the Senate have read the debate attentively. If they have, it will relieve me in a great measure from the necessity of referring to it at any length. Should members of the Senate require it, I shall try to answer such questions as may suggest themselves in the progress of the Bill through Committee. The object of the measure is to try, as near as possible, to make the fund out of which the superannuation is paid self-sustaining. At present the charge upon the consolidated revenue of the country is much larger than the Government think it ought to be, and the civil servants who profit by it could submit to a larger deduction annually in order to make the difference between the amount paid out and that which is contributed to the revenue from these abatements less onerous than at present. I may add that while the proposition to increase the amount paid by civil servants each year, another short Bill is introduced which is a corollary to the one now before the House, and which practically forms part of it, providing a very cheap rate of insurance for the civil servants. The Government do not propose to enter into a general business of insurance, but they confine it exclusively to the employees of the Crown. I make that statement in order that there may be no misapprehension as to the intention of the Government, and that the House and the country may understand that the Government does not propose to interfere with the legitimate insurance companies of the country beyond their own civil servants. The House will remember that the first Superannuation Bill was passed in 1870. The provisions of it will be found in 33 Vic., chap. 4. It was introduced by the late Sir Francis Hincks. At that time he proposed that the abatement should be annually 4 per cent on all salaries of $600 and upwards, and 2½ per cent on all salaries under $600. Calculations have shown that if that rate had been maintained up to the present time and the fund had not been loaded at the time it was passed by the superannuation of a large number of employees who had never contributed to the fund, many of whom are still drawing their pensions, that abatement would have been sufficient to have balanced the accounts. Shortly after, by the Act 36 Vic., the annual abatement was reduced from 4 to 2 per cent upon salaries of $600 and over, and to 1¼ per cent upon salaries under $600. This reduction has had the effect of placing a charge upon the revenue of the country very much in excess of the receipts, as is shown by the public accounts of last year. In 1891–92 the amount paid by civil servants into the fund amounted to $63,892.79, but the sum paid out to those who had been superannuated amounted to $253,679.88. This disparity, the House will see, is very great. I have the table before me, but I will not weary the House reading it, showing the operation of the law as it stands on the Statute-book from 1871 to 1892. That is including the first year on the 4 per cent and the 2½ per cent, and then under the 2 per cent and the 1¼ per cent. I will just call the attention of the House to this fact, that the first year there was paid into this fund $49,000, the second year $53,000, and the third year $54,000. The law was then changed, and the receipts from this fund fell to $34,000, and it has only at the present day reached the sum to which I have already called the attention of the House, $63,000, while the expenditure has reached $253,679. Under the circumstances, two propositions suggested themselves to the Government. One was to abolish the whole system; the other was to so amend the law as to try and make the accounts balance in a very few years, and by the system of insurance which it is proposed to add to the superannuation, to make a provision for the widows and orphans of civil servants who die in the service. Those who have studied the question know that a civil servant may contribute to the fund for 35 years, after which period his contributions cease; he may then continue in the service for 5 or 10 years longer, as his health would permit, and if he is able to perform the duties of his office. The provision that you can retire a civil servant at 60 years is not imperative. It is imperative on the part of the officer to accept if the Government so decree, but if he maintains his health, as many of them do, he can continue for a longer period. I can give you one or two illustrations where they approach the age of nearly 90. Take the late clerk of the House of Commons, he was 89 or 90 when he was superannuated, and he was then a vigorous and active man and performed his duties admirably. That officer might have paid into the superannuation fund during the whole 35 years and then draw a pension for only a few years, and when he dies his family gets nothing. Or take a still harder case, one in which an officer may have been 35 years in the service, all that time contributing to the superannuation fund, if he drops off before being superannuated his family gets nothing, or all they get is the two months' gratuity which is paid to all officers. As an illustration of longevity in this country we find upon looking into the records that there are no less than 391 persons now upon the superannuation list drawing their annual pensions, who were placed on the retired list in 1870–71, at which time the Superannuation Act was passed.

Hon. Mr. POWER—They had paid nothing.

Hon. Mr. BOWELL—A large proportion of them never paid anything into the fund at all, and that is one reason why, as I said before, it has been overloaded. The average age of those 391 persons now upon the list is about seventy-one years which speaks well for our climate. Some of them run from eighty to ninety. It has been contended by some that we should abolish the whole system. This is scarcely advisable under the circumstances. I may add, although it has nothing to do with this question, that when the original Superannuation Bill was introduced in the House of Commons in 1870, I was one of those who opposed the measure. It is not necessary for me to go into my reasons for opposing it. The law is on the Statute-book at present, and it would be a great hardship, particularly to those who are now in the service, to interfere with their positions. Neither does this Bill propose to interfere with the status of the present civil servants. They will remain as they have been in the past, and will receive the same advantages that they enjoy under the present law. It is proposed that any party entering the service after the age of forty-five years shall not be entitled to superannuation, and shall not be required to contribute to the superannuation fund. It is proposed by the present Bill to make the abatement three and a half per cent on all salaries over $600, and three per cent on salaries under $600, so that persons entering the service now will know precisely what they may expect. This sum will be deposited to the credit of the Receiver-General, and the officials paying into the fund will receive on those investments 6 per cent. That is, the Government propose to add to the sum which they pay in 2 per cent more than what might be considered the rate at which a Government could borrow money, or in other words, it is a contribution from the public exchequer to the extent of 2 per cent in order to create a fund which would be sufficient to meet the requirements that would be made upon it. The House will understand—if I have not made it plain I trust attention will be called to it—that the abatement is increased. That abatement will be placed to the credit of the fund out of which the superannuation payments are made. In order to make ends meet, if I may use that expression, it will be necessary for the country to contribute an additional 2 per cent, making the interest allowable 6 per cent by which it is believed that in about 25 years the fund will be self-sustaining. Calculations show that the fund then at the credit of the Civil Service Superannuation Fund will amount to about $2,000,000. That being the case, then the necessity of drawing upon the general funds of the country in order to meet the requirements of the Bill will have disappeared. I have almost a deluge of statistics which I do not suppose the House desires to be troubled with. I have given as short and as clear an exposition of the proposition that is now before the House as I could well do in the short space that I allotted to myself at this period of the session. I am inclined to the opinion that although the Bill met with a good deal of opposition in the other branch of Parliament, still the great majority came to the conclusion that the proposition of the Government was in the interest of the civil servants and certainly in the interests of the revenue of the country.

Hon. Mr. KAULBACH—Is this increased abatement compulsory upon all who are now in the Civil Service, or only on those who enter it hereafter ?

Hon. Mr. BOWELL—It is compulsory on all civil servants at the present moment. It will be equally compulsory on all civil servants who enter the service, under the age of 45, in the future, only at a higher rate.

Hon. Mr. POWER—I never read the debates of the House of Commons and so I dare say I have lost a great deal, but I think the hon. gentleman's explanation, although not very long, was clear enough and gives us a very fair idea of the principle of the Bill. I may say, without pledging myself as to details, I feel, as one member of the House, that the Bill is a step in the right direction. I have always felt that it was a crying injustice—at any rate a very grave misfortune—that the faithful public servant who dies in the service of the state after serving it for thirty or thirty-five years dies a pauper, unless he has managed to save money, and leaves his wife and children nothing. I have always felt that some system of state insurance like this was preferable to the old system of superannuation.

Hon. Mr. KAULBACH—This Bill does not deal with life insurance, does it ?

Hon. Mr. POWER—This Bill, as I understand it, goes with another Bill, and the result of the additional deduction which is made on account of the superannuation fund is that any civil servant who pays this increased deduction from his salary is entitled to a life insurance—Is not that the case ? That is, the family would be entitled to so much after his death.

Hon. Mr. BOWELL—No, he would have to pay additional for life insurance, only at a much lower rate than ordinary insurance.

The motion was agreed to and the House resolved itself into a Committee of the Whole.

(In the Committee.)

On the second clause,

Hon. Mr. POWER—If the civil servant is over 45 at the time of his appointment, he does not get the advantage of the old system of superannuation?

Hon. Mr. BOWELL—No, nor does he contribute anything to the superannuation fund. He gets his full salary.

The clause was adopted.

On clause five,

Hon. Mr. SCOTT—Will this affect the civil servant who is superannuated immediately after this Bill passes?—How does it affect him?

Hon. Mr. BOWELL—Not at all.

Hon. Mr. SCOTT—Section 4 seems to be predicated on the assumption that the moment this Bill is passed and the moment the country adds 2 per cent, then there is a sufficient fund to meet the superannuation without drawing upon the general fund of the country.

Hon. Mr. BOWELL—"The superannuation allowance to which all persons whom this Act is applicable to becomes entitled, etc." Now, this Bill only adds to the Superannuation Act as it is now upon the Statute-book. It is really adding another clause, providing for a higher rate of abatement annually from the salaries of those who come into the service after the passing of the Act, and does not affect what might be termed the Superannuation Fund No. 1. Any one now in the service, if superannuated, will receive 2 per cent annually upon his salary, as he does now—that is, if a man receives $1,000 a year and has paid in thirty-five years to the superannuation fund, he is entitled to 70 per cent of his salary. If he has paid in twenty years, he would be entitled to 40 per cent of his salary—2 per cent for each year. If a civil servant should be superannuated after the passing of this Bill, it does not affect him in the least.

Hon. Mr. MACINNES (Burlington)—Where is the fund from which the premiums are to be paid under the Insurance Act? Out of this fund?

Hon. Mr. BOWELL—No, that is out of another fund altogether. I have a table showing the rates of the ordinary insurance companies, and what we propose for the civil service is to give them a better and cheaper rate for insuring their lives for the benefit of their families in case of death. The reason why we can give them a cheaper insurance is that the whole of the work can be done by the Finance Department; there will not be those expenses that are incurred by regular companies in the way of rent, agents, officers, etc.

The clause was adopted.

On the fifth clause,

Hon. Mr. POWER—That is a very desirable provision, and I hope that the expectations of the leader of the Government with respect to this fund may be realized. The hon. gentleman stated that the Finance Department were of opinion that at the expiration of twenty-five years from this date the superannuation fund would be found self-sustaining. That would be a very desirable condition of things, but I wish to make this observation, that unless the Government pursue a totally different course from that which they have pursued in the past with respect to superannuation, this fund will never become self-sustaining. Year after year men who were in the full possession of all their faculties, and as well able to work as ever they were, have been superannuated at high figures in order, in some cases, to make room for gentlemen who were looked upon more favourably by the powers that be. That is the general rule, but by this time I should suppose that nearly all the Liberal employees who were in any way obnoxious have been removed, and there will not be the same temptation to superannuate in the future that there has been in the past.

Hon. Mr. DEVER—I know one gentleman who was superannuated in 1873 who had been drawing a salary of $1,600 per annum. I think he was superannuated at $1,400 per annum, and he is living to-day, hale and hearty.

Hon. Mr. MACINNES (Burlington)—The Government cannot possibly superannuate improperly any officer without breaking the law, so that the Government are liable to be pulled up if they do so. I had occasion to look into the civil service superannuation question about ten years ago, and I found that so far as the practice of superannuating improperly was concerned the sin lay at the door of the Mackenzie Government quite as largely as at the door of the present Government.

Hon. Mr. BOWELL—I do not see that it would be at all profitable to enter into that discussion now, but if the hon. gentleman would like a few facts in connection with the record of his own party, I am quite prepared to give them to him. I do not propose at the present moment to defend every act of ours, although I think we have been just about as perfect as could be expected of human beings under the circumstances, but I have a list here that would rather astound the hon. gentleman, of superannuations from 1874 to 1878. However, I do not desire to enter into that question, because it is not pertinent to the subject, and would only lead to acrimonious political debate, which I know hon. gentlemen would desire to avoid as much as possible. It does not always follow that the full amount of the superannuation which is paid annually is actually a charge upon the public funds, for this reason—speaking of my own department, which may be a little egotistical—in the large cities where you superannuate a gentleman who is receiving probably $2,000 a year, the next officer under him would be appointed probably at $1,600, and taking the different grades down, men would be appointed at lower salaries, so that when you come to balance the account it is not really as onerous a tax as appears on the face of it. That is one of the points to which I forgot to allude when I was addressing the House before. If the hon. gentleman had read the debates of the House of Commons he would have been—I was going to say better instructed—because I furnished tables to show, taking the city of Quebec as an illustration, that where I superannuated two or three officials some of the positions were not filled at all, and others were filled at a lower salary, so that when you put the saving in salaries against the amount paid to the superannuated officers, there is an actual gain to the revenue, while taking the statement as it appears in the Auditor-General's and the Receiver-General's Report, it would appear as if just the amount charged to the superannuated fund had been added to the expenses of the country. I do not say that that is the case all the time. There may have been improper superannuations, but if so, I think I am safe in saying that the sin and iniquity of such work does not lie altogether on the shoulders of the present Government. I hope under the new law, whoever may be in power will carry it out more rigidly than in the past.

Hon. Mr. READ (Quinté)—I think this Bill is a very great improvement, because we know the enormities of the old system, and we know also where people who had paid for a length of time into the fund happened to pass off, their families were not in any way provided for. This is a great improvement on the existing state of affairs.

Hon. Mr. McINNES (B.C.)—While I admit that this Bill is a great improvement on the present superannuation law, the principle of superannuation is entirely wrong, and I entirely dissent from the views expressed by the hon. members from Halifax and Quinté. I believe that superannuation is a fraud. I see no good reason why a civil servant should become a pensioner on the Treasury of Canada. They are paid as much and in most instances a great deal more than they would get in any other calling or position in the country. They would not remain twenty-four hours longer in the civil service than they could help if they could get better positions outside. I think they are well paid, and this only encourages them to live, not only up to, but in many instances beyond, their income, and the quicker the Government of Canada, I do not care whether it is Grit or Tory, wipe that law off the Statute-books, the more independent and self-reliant the civil servants of this country will become. I do not see why they should be superannuated any more than clergymen, school-teachers and others who are advancing the material and moral welfare of the country. I am totally opposed to superannuation. This is an improvement on the present condition of the law, but I hope the Goverrment in the near future will bring in a measure to abolish the superannuation system so that nobody entering the service hereafter will look for the benefits of a superannuation fund.

Hon. Mr. POWER—I am very sorry to differ from the hon. gentleman from British Columbia. The Government ought to deal with its servants as any large institution carrying on a very extensive business would deal with its servants. If we come to look round us we find that the great corporations in this country, and of other countries, do provide for the cases of death, or old age and inability to work of their employees. The Bank of Montreal, as I understand it, has a very thorough system, not exactly of superannuation, but something very nearly like it—a combined superannuation and life insurance. The Canadian Pacific Railway Company have one, and I think that there is every reason why the Government should have the same. It is, of course, desirable that it should be conducted in a business-like way. My complaint is that in the past the superannuation has not been conducted in a business-like way. The hon. leader of the Government made some remarks about the preceding Administration. If the Administration of Mr. Mackenzie sinned in that way, I think at any rate their crime has been barred by the statute of limitation. I speak of the Government as a corporate body, so to say, and not as a political body, and I know since the present Government came in, there have been a great many superannuations which should not have taken place. I did not mean to reflect at all upon the manner in which the leader of the Government conducted the Department over which he presided for so many years. I have never heard it alleged that the hon. gentleman was guilty of extravagance, undue favouritism or that there was any fault to be found with the administration of his Department with respect to the employees. It has been charged against him that he was rather rigorous, and that the legislation which was passed by Parliament at the hon. gentleman's instigation went rather too far in the direction of treating importers as public offenders, and as being *prima facie* criminals who had to be watched just as though they were criminals and were always ready to do what was wrong, but as to the hon. gentleman's administration of his Department in other respects I have never heard anything said against it. I think the hon. gentleman has always tried to do his work thoroughly, honestly and economically.

The clause was adopted.

Hon. Mr. VIDAL, from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

VOTERS' LISTS BILL.

SECOND READING.

Hon. Mr. BOWELL moved the second reading of Bill (123) "An Act respecting the Voters' Lists of 1893." He said:—This is simply a Bill to postpone the revising of the voters' lists for the present year. I need not enter into any explanation. All I can say is that it will save a very large amount of money, and as there is no probability of a general election within a year, it is not deemed advisable to go to the expense that would be involved in revising the lists.

Hon. Mr. McINNES (B.C.)—Is it understood that there will be a revision of the voters' lists before a general election takes place?

Hon. Mr. BOWELL—I think I may inform the hon. gentleman that there will be, some time within the next two or three years.

The motion was agreed to, and the Bill was read the second time.

The House resolved itself into a Committee of the Whole on the Bill.

(In the Committee.)

Hon. Mr. POWER—This Bill shows that there has been a change of mind on the part of the Government lately, because in the early part of the session a Bill was introduced providing for the revision of the lists this year. I was going to say I thought the Government should take the House more into their confidence than the leader of the House has done, but the question is, why this change of mind on the part of the Government? Is it that since the beginning of the session they have come to the conclusion that it would probably not be desirable that there should be an election at an early date, owing to the change in public sentiment, or to the circumstances which have occurred since the beginning of the session; or does it mean this, that, seeing the change in public sentiment, the Government are anxious that the young men of the country shall not have an opportunity to vote at the coming election, as they have not had an opportunity at the election of 1891? It will be remembered by hon. gentlemen, that in the session of 1890 the House of Commons was given to understand that there would not be an election until the voters' lists had been revised, and notwithstanding that, the election took place before there was another revision. I hope that the Government do not intend to repeat the injustice of 1891, when no man under 24 years of age really had a right to vote, although every man over 22 at any rate should have had that right. The election of 1891 was run on voters' lists three years old, and if the Government should, as they did in 1891, spring an election on the country before next session, the result will be that we shall have the same scene enacted—an election run and all the young men under 24 excluded from the right to vote.

Hon. Mr. KAULBACH—I think my hon. friend need not fear such a calamity occurring to his own party. At the last election they thought they were going to take the field and capture the Government. Every by-election held since then shows that public opinion is in favour of the present Government and their policy. I hope the Government may have a revision of the Franchise Act and that there will be a more liberal one given to us. It is more liberal, I know, than the Franchise Act of Nova Scotia—in fact, it is so very near manhood suffrage that I think we could fairly adopt it now.

Hon. Mr. BOWELL—I may compliment my hon. friend from Halifax on his facetious speech. We have heard the allegation before that there was a great change of sentiment—a change which he says prevails throughout this continent and more particularly on the northern portion of it. If we refer back to the ante-election speeches, in the House of Commons, we find that the hon. gentleman's friends have been indulging in these prophecies for about fifteen years. Every year we have been assured, public sentiment has been changing so rapidly that scarcely a man bearing the name of Liberal-Conservative would dare to present himself to any constituency. We may be very much like the boy who was constantly crying "Wolf" when there was no wolf—the change may come some day—when the hon. gentleman and his friends will cross the floor. It can scarcely be expected that a party can retain power for ever, although Canada can present a record, so far as the party which now controls the destinies of this portion of Her Majesty's dominions is concerned, that is scarcely to be found in any other part of the world. As the hon. member from Lunenburg said a moment ago, an attempt was made to capture this country in 1891. After the general election the courts opened a very large number of the constituencies. Certainly it could not have been through the sins of the hon. gentlemen opposite or their friends, because they never carry on an election except upon the purest possible principles! But for some reason or other, 30 or 40 of the successful Opposition candidates were unseated, and the result of the by-elections has been that a majority of about 30 after the election has been swollen to about 65 all told. If that be an indication of a rapid change in public sentiment, I do not think we need fear appealing to the electorate at any time. I have no recollection that any promise was made, such as that to which the hon. gentleman referred, in Parliament.

Hon. Mr. POWER—It was made by the hon. gentleman who was then Secretary of State.

Hon. Mr. BOWELL—Where was it made?

Hon. Mr. POWER—In the House of Commons, in the presence of the leader of the Government.

Hon. Mr. BOWELL—Perhaps the hon. gentleman's recollection is correct. When the hon. gentleman attains the height of his ambition, which I suppose is to be leader of the Government, he will find that he may with all honesty and sincerity make a statement in the House one year, that he may find it impossible to carry out the next year; or he may often find that it is not in the interests of the country that it should be done. Events change so rapidly that it is sometimes necessary that we should, to a certain extent, change with them. The reason for deferring the revision of the voters' lists this year is very simple. A Bill was introduced in the House of Commons to simplify the mode of revising the list, making it less expensive than it has been in the past. A large number of members on both sides of the House thought it did not go far enough, and after a discussion in the House it was deemed advisable to further consider the provisions of the measure dealing with the mode of revising the list, and if possible to make it still less expensive. That being the case, and as I intimated before, it is not at all likely that there will be an election before the next session of Parliament, it was deemed advisable to save the expense that would be incurred in revising the lists, and to adopt if possible a much more economical mode, and probably change to a certain extent—although I do not say that it will be the case—the franchise in the direction intimated by the hon. gentleman from Lunenburg. That is a point of view from which I will not discuss it, neither do I desire it to go on record that that is the intention of the Government. There is a variety of opinions on that question. Many old Tories, if I may use the expression, think that the extension of the franchise has gone so far that it is scarcely worth while stopping short of manhood suffrage, while there are others who adhere with a good deal of tenacity to a restriction of the franchise—not placing it in the hands of everybody.

Hon. Mr. MacINNES (Burlington), from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

FIRST AND SECOND READINGS.

Bill (109) "An Act further to amend the Dominion Lands Act." (Mr. Bowell.)

CIVIL SERVICE INSURANCE BILL.

FIRST AND SECOND READINGS.

A Message was received from the House of Commons with Bill (11) "An Act respecting the Government Civil Service Insurance."

The Bill was read the first time.

Hon. Mr. BOWELL moved the suspension of the Rule and that the Bill be read the second time.

The Bill was read the second time and referred to a Committee of the whole House.

(In the Committee.)

Hon. Mr. BOWELL—This Bill requires very little explanation further than what has already been given in the discussion on the Superannuation Bill. It is simply a system of insurance by which civil servants can insure their lives for the benefit of their families at a cheaper rate than they can obtain it in the regular companies. The Government have come to the conclusion, after many years' experience, that as the Superannuation Act only provided for those who lived long enough to be retired and draw upon the funds, and no provision whatever was made for the widows and orphans, many of whom were left in destitute circumstances, that the system proposed in this Bill is advisable. Under this Bill every civil servant in the employ of the Government will be enabled to insure his life in the manner that I have indicated by paying a small sum annually, and thus will leave something for his wife and children at his death. The provisions of the Bill are simply to carry out that system of insurance.

Hon. Mr. KAULBACH—I believe the intention is to leave it entirely voluntary with those who now pay into the fund, and by an abatement they can come in.

Hon. Mr. BOWELL—Yes.

Hon. Mr. KAULBACH—But it is compulsory on all who may hereafter come into the service?

Hon. Mr. BOWELL—No.

Hon. Mr. DEVER—They simply get the benefit of insurance at a cheap rate?

Hon. Mr. BOWELL—Yes.

Hon. Mr. POWER—I am sorry that it is not compulsory on those who come into the service hereafter.

Hon. Mr. MacINNES (Burlington)—Whether is it compulsory or not, it is an exceedingly good Bill. It is not only in the public interest, but it is also in the interest of the civil servants themselves. It was always a complaint against the Superannuation Act that it did not contain a provision for the families of deceased civil servants, but the fact was always overlooked that the Superannuation Act was never intended to make a provision of that kind. For many years past the Government has been urged to adopt a measure of insurance under which the civil servants could insure themselves at a cheaper rate than with the proprietory companies. Under this Bill they get the benefit of the difference in interest between 4 and 6 per cent, and they also save the office and other expenses connected with ordinary insurance business, as well as the profits which accrue to private companies. We all know that the insurance business is very profitable, as it ought to be. I must congratulate the Government on the excellent plan they have adopted for insuring the lives of civil servants.

Hon. Mr. DEVER—I hope they will be able to run such an office without any loss to the country. Based on that principle, I think it will be very popular. If it results in a loss to the country, it will only be regarded as an indirect way of giving a donation to people who are not entitled to it.

Hon. Mr. KAULBACH—If it is voluntary on the part of those who come in hereafter, I am afraid it will be a perfect failure. Those who come in hereafter should do so on the understanding that they insure their lives. Have the officers of the Senate and House of Commons the right to come under this Bill?

Hon. Mr. BOWELL—Yes, every civil servant. It must be borne in mind that the same examination, as in a regular company, by a medical man, must be made before a civil servant will be accepted, and I find there is a provision in the 10th clause that the Minister may decline to enter into an insurance contract where there are, in his opinion, sufficient grounds for so declining. There might be an employee of the Government whose health would not justify the taking of the risk, and consequently it could not and should not be made compulsory.

Hon. Mr. KAULBACH—Should such a man be taken into the service—if his health is of that character?

Hon. Mr. BOWELL—I quite agree with the hon. gentleman that he should not, but unfortunately, such men do creep in sometimes. There are many men who are prudent and do not spend all their salaries, who may have just as much insurance on their lives as their salaries will justify, and it would be a great hardship to compel those men to take more insurance and suffer a reduction of salary that they could not well afford.

Hon. Mr. CLEMOW—There is no doubt that a great many civil servants are already insured, and have been insured for years, and it would be a great injustice to require them to insure when they do not need it. We know in the past a great many insurance companies have failed and people have lost all they invested in policies. The object of this Bill is to give greater security to the civil servants.

Hon. Mr. POWER—It seems to me the Bill ought to be compulsory. The Government is in the position of any other large association having ag reat many employees. I may be mistaken, but I am of the opinion that in the case of the Bank of Montreal and other large corporations in this country, life insurance is compulsory. I think it should be compulsory except in the case of a civil servant already insured to the amount which is indicated in this measure. The Bill fixes $2,000 as the maximum and $1,000 as the minimum. In any case where a civil servant is already insured to the amount of $2,000, the Bill should not apply, but it should apply and be made compulsory in every other case.

Hon. Mr. ALLAN—Suppose he is an old bachelor?

Hon. Mr. POWER—He may have a sister or some other person dependent on him.

Hon. Mr. DEVER—I think it is sufficient to hold out the low rate of insurance. That ought to be enough. There is no similarity at all between the case of the Bank of Montreal and the Civil Service of this country. The civil servants, to a very large extent, owe their appointment to influence, and some of them are much better paid than any bank clerks in the country. It is quite enough to hold out to the civil servants the inducement of lower insurance than they can obtain anywhere else. I do not think there should be any further inducement than that.

Hon. Mr. ANGERS—It has been stated that no good reason has been given why the system of insurance should not be compulsory. I have heard some very good reasons stated on this side of the House, and it is not necessary that I should repeat them all; but I may be allowed to say that, as far as the Government is concerned, it would be unsafe to make it compulsory, and for the civil servants it would be unjust. It is not intended at all for others. It would be unsafe for the Government, because if it is compulsory to insure every civil servant they would have to take risks which no company would accept. That is a good reason for not making the insurance compulsory. It would be unjust to the civil servants also, because some men have already insurance on their lives—perhaps all that they can carry. A third ground is that some men want no insurance at all. Some of them are rich and can afford to do without insurance. For those three reasons the House is justified in coming to the conclusion that the insurance system should not be compulsory.

Hon. Mr. KAULBACH—My intention was that it should be optional with those already in the service, but that it should be compulsory on those who want to come in hereafter. It should be arranged in the same way as in the banks, where there is an abatement from the salary.

Hon. Mr. SULLIVAN—The examination for the Civil Service and the examination for insurance are entirely different. The examination for insurance is more minute, and the family history is gone into: but the Civil Service examination is done in a very gingerly manner. Most of these civil servants belong to benevolent and beneficiary societies and are already insured in fact.

Hon. Mr. POWER—I wish to say one word more before the clause is carried. The hon. Minister of Agriculture said that it would be unfair to the Government to adopt this compulsory system of insurance. Now, inasmuch as it is discretionary with the Government, I cannot see how it would be unfair. The Government would not be obliged to insure every civil servant: a man who was disqualified by disease would naturally not be insured; but any employee who comes into the service in the future in good health should be insured. It is not intended to apply it to those who are in the service now, unless they wish to come under the terms of the Bill. My suggestion was that it should not apply to persons who could show that they were already insured, so that the reasons given by the hon. gentleman, when examined, amount to very little more than what one finds inside a soap bubble.

The clause was adopted.

Hon. Mr. McINNES (B.C.), from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

WITNESSES AND EVIDENCE BILL.

COMMONS AMENDMENTS CONCURRED IN.

A Message was received from the House of Commons to return the Bill relating to witnesses and evidence, with certain amendments.

Hon. Mr. ANGERS—This Message informs us that the House of Commons has concurred in the first amendment, striking out the words "and compellable." Now, the second and third amendments to which the House of Commons has not agreed, were in relation to the clause: "provided, however, that the husband shall not be compellable to disclose any communication made to him by the wife during their marriage." This House was induced to accept the words "not compellable," wishing at the same time to give the accused the opportunity of having evidence of such conversation if it was thought in his interest that it should be given. In the other House they have come to the conclusion that it was wiser that there should be no such disclosure at all, and instead of the word "compellable" they have inserted the word "competent," so that under no circumstances, whether it is favourable to the accused or not, can the wife or the husband be allowed to disclose any communication during marriage. The other amendment is in the subsection of the fourth section, which provided that the failure to give evidence should not be made the subject of comment by counsel. It is the wish of the House below that the judge should not have the power of making any comments. Under the circumstances it is better to move that this House concur in the amendments of the House of Commons, and it will be then the law that no disclosure of communications between husband and wife during their marriage shall be given in evidence at all. We will have also the principle laid down in the Statute that the wife or the husband shall be a competent witness and can be called to testify on the facts of the case.

Hon. Mr. KAULBACH—I certainly endorse the amendments of the House of Commons, because they are in the line of the arguments I made in this House: usually, however, I do not convince the House.

Hon. Mr. POWER—Whatever our opinion may be of the desirability of the changes —and I think the wisdom of one of them is doubtful—we have really nothing to do but accept the amendments; because if we do not accept them the Bill is lost. The motion of the hon. Minister is the only one that we can carry.

Hon. Mr. ANGERS—I move that the Senate do not insist on their second and third amendments to the Bill respecting Witnesses and Evidence to which the House of Commons have disagreed, and that this House agrees to the amendments made by the Commons to the said Bill.

The motion was agreed to.

It being six o'clock the Speaker left the Chair.

After Recess.

DOMINION LANDS ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (109) "An Act further to amend the Dominion Lands Act."

(In the Committee.)

Hon. Mr. BOWELL—In the early settlement of Manitoba, the House is aware that certain sections of land in each township were set apart for school purposes. Sometime in 1870—between 1870 and 1880—the 20-mile belt on either side of the road running from Winnipeg to Deloraine was withdrawn from settlement and homesteading, and reserved for the purpose of making land grants to any company that would construct railways through that section of the country. The land remained in that state for some few years. Afterwards it was opened for settlement, but in ignorance of the law at the time many of the first settlers in that country settled upon the school sections which they have continued to occupy up to this day, having made large improvements upon them, and it is considered a very great hardship to deprive them of the lands acquired by homesteading. It has been a source of grievance for a great many years in the province of Manitoba, and now, with the consent of the Government of Manitoba, it has been decided to pass an Act placing these settlers in the same position as they would have been in had they settled upon the lands which were open for homesteading at the time. Another provision of the law is that while they confirm these settlers in the title to the land upon which they live, and which was taken up previous to the year 1882, land of equal quality and as well located shall be set aside for school purposes. Mr. Greenway, on behalf of his Government, considering this an equitable settlement of the case, consents to the surrender of the sections originally set apart for school purposes, and accept others in lieu thereof, which of course will have to be to the satisfaction of that Government—land of equal quality and as well located. I may mention for the information of the House that this endowment for common school purposes has reached the sum of $672,241. Of this sum $329,699 has already been paid in and is invested as an endowment for their schools. For the balance of $300,000, the security is on the land and the amount is drawing 6 per cent until the settlement. It was a wise policy, I think the House will say, at the time and this land will, if properly managed by the people of Manitoba, provide them with an ample fund to carry on their schools in the future. The reason that the Bill is confined to the year 1882 is the fact that the regulations in reference to school lands were fully known by every person going into Manitoba and the Territories at that time.

Hon. Mr. KAULBACH—This is not confined to the province of Manitoba, is it?

Hon. Mr. BOWELL—Yes, it is confined entirely to Manitoba.

Hon. Mr. MACINNES (Burlington), from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

CUSTODY OF JUVENILE OFFENDERS IN NEW BRUNSWICK BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (104) "An Act relating to the custody of juvenile offenders in the province of New Brunswick."

The Bill was read the first and second times under suspension of the rules, and referred to a Committee of the Whole House.

(In the Committee.)

Hon. Mr. ANGERS—By the charitable exertions of Lady Tilley in New Brunswick, a Reformatory for juvenile offenders has been established. It is a most laudable action on the part of this distinguished Lady. She now wishes to see her action crowned by obtaining from the Dominion Parliament the necessary power for the Magistrates and Judges to send juvenile offenders to this Reformatory, and this Bill, which has been adopted by the other House, is for that object. It is provided that children may be, with the consent of their parents or guardians, apprenticed to persons to be approved by the authorities. It is also provided, as in the common law relating to penitentiaries, that the inmates may be visited by clergymen of their own faith and denomination.

Hon. Mr. DEVER, from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

SUBSIDIES IN AID OF RAILWAYS BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (127) "An Act to authorize the granting of subsides in aid of the construction of the lines of railway therein mentioned."

The Bill was read the first time.

Hon. Mr. BOWELL moved the suspension of Rule 41, and that the Bill be read the second time He said:—The Bill is simply a renewal of the subsidies formerly granted by the different Acts of Parliament at former sessions. There are no new subsidies.

Hon. Mr. POWER—Inasmuch as there is no very great hurry about this Bill, I hope the hon. gentleman will not mind if I object to the suspension of the rule, as there is some other business to come before the House.

Hon. Mr. BOWELL—If the hon. gentleman desires that we should not proceed further to-night, I would not ask for a suspension of the rule. My reason for moving it now is that there is nothing in this Bill that has not been affirmed by both Houses of Parliament at previous sessions.

The motion was agreed to, and the Bill was read the second time and passed through its final stages.

COMMISSIONER TO WORLD'S FAIR BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (124) "An Act respecting the appointment of Commissioners to the World's Columbian Exposition."

The Bill was read the first and second times under a suspension of the rule, and referred to a Committee of the whole House.

(In the Committee.)

Hon. Mr. ANGERS—The Bill is to authorize the Governor in Council to appoint a member of the Senate and a member of the House of Commons as Commissioners to represent Canada at the World's Columbian Exposition, and to authorize the Government, notwithstanding the Independence of Parliament Act, to pay their expenses.

Hon. Mr. McINNES (B.C.), from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

SENATE AND HOUSE OF COMMONS' BILL.

FIRST READING.

A Message was received from the House of Commons with Bill (132) "An Act further to amend the Act respecting the Senate and the House of Commons."

The Bill was read the first time.

Hon. Mr. BOWELL moved the suspension of the rule and that the Bill be read the second time. He said:—This Bill simply gives authority to pay members of both Houses their sessional indemnity without deduction if they have not been absent more than six days during the session.

Hon. Mr. POWER—I object to the suspension of the rule in this case. I think this is a most improper Bill.

Hon. Mr. BOWELL—Then I move that the Bill be read the second time at the next sitting of the House.

The motion was agreed to.

ROYAL MILITARY COLLEGE BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (118) "An Act to amend the Act respecting the Royal Military College."

The Bill was read the first time.

Hon. Mr. BOWELL moved the suspension of the rule and that the Bill be read the second time. He said:—This is a Bill to amend the Royal Military College Act in one or two respects. The salaries which have been paid to the professors have, almost since the passage of the original Act, been not strictly in accord with the provisions of the law, and the Auditor-General having called the attention of the Militia Department to this fact, it was found necessary, in order to legalize the payments which have been made and also to fix the salaries for the future, that there should be an amendment to the Act. That is one of the provisions of the Bill. Another provision is to change in one of the clauses the words "the Army Act" and insert instead "Mutiny Act." It is merely a clerical error and brings the College under the surveillance of the Army Act instead of the Mutiny Act. A section of the Act provides that in filling up the vacancies in the College, a certain number shall be selected from each province. I found when I was administering the affairs of that Department that there were several vacancies in the College, although quite a sufficient number of cadets had passed the requisite examination entitling them to a position in the College, but unfortunately they were confined mostly to one or two of the provinces, and the consequence was that if we had acted strictly in accordance with the provisions of the law, there would have been some five or six vacancies. I came to the conclusion then, as my successor has done since, that if the College is to be maintained they should have power to select from those who have the necessary qualifications to fill the College, first equally dividing them if they are to be found in the different provinces and, if not, take them from the other provinces, and the power is given to the Minister under this Bill to select the necessary number to fill the College from among those who have passed the examinations, taking them by order of merit, no matter from what province or portion of the Dominion they may come. These are the most important provisions of the proposed amendments to the Military College Act. There is one, however, which is more military in character than anything else. It establishes what they call a military branch in connection with the College—that is, it puts the sergeants and servants who are employed there under military law the same as they would be if they were under a commanding officer. There is another which relates to the civil branch. It is for the purpose of bringing the officers to headquarters where they will be taught their duties so that they will be prepared to take positions in the outside service.

The motion was agreed to, and the Bill passed through its final stages under a suspension of the rules.

PETROLEUM INSPECTION ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House

of Commons with Bill (112) "An Act further to amend the Petroleum Inspection Act."

The Bill was read the first time.

Hon. Mr. BOWELL—This Bill has been introduced in order to carry out the change made in the Petroleum Act by providing that petroleum can be imported into Canada in tanks. Clause 1 revises the interpretation of the term "package," eliminating the words "tanks" and "other vessels." This becomes necessary in view of the third subsection added to section 15. (See section 8). Clause 2 is intended to place the duty of inspection upon officers of Inland Revenue. Clause 3 reduces the fire test from 95 to 90. In the several States of the United States the test ranges from 72 to 90. It is alleged by experts that the treatment in bringing the oil up to stand the additional 5 degrees is very wasteful without conferring any benefit. Then we come to clause 4. The Railway and Steam-boat Transportation Companies require a special class of oil (manufactured in the United States) which they use for outside purposes —switch lights and head lights. The weight which was under the former Act restricted between 8·23 and 8·32 pounds, has been extended to 8·14 as a minimum, and 8·43 as a maximum, and the fire test is reduced from 275° to 200° Fahr. Oils within these ranges have for years been used all over the continent. The amendment made by clause 5 is to section 7, requires the marking of imported oil to be the same as is required in respect of Canadian oil. The "tare" and "net weight" in pounds is added. By clause 6, the word "Canadian" is placed before the word "petroleum" in section 10 of the old Act, to prevent any further doubt as to its applying only to domestic oils and refineries. Clause 7 places the inspection in all cases upon nominees of the Inland Revenue Department. By clause 8 a subsection (3) is added, permitting importation, under certain conditions, in tank cars. Clause 9 reduces inspection fees on imported petroleum from 30 cents to 10 cents, etc., bringing imported and domestic oils to an equality. Clause 10 establishes a penalty for bringing in oil through other than permitted ports. Clause 11 embodies as a section of this Act what was heretofore the terms of an Order in Council made under authority of chapter 49 of the Statutes of 1891. Clause 12 repeals above Statutes (chap. 49 of 1891).

The motion was agreed to, and the Bill passed through its final stages.

CUSTOMS ACT AMENDMENT BILL.

FIRST AND SECOND READINGS.

A Message was received from the House of Commons with Bill (126) "An Act further to amend the Act respecting Duties of Customs."

The Bill was read the first time.

Hon. Mr. BOWELL—This Bill is to amend item 184, chapter 20, of the Statutes of 1890. It deals with the duties which have been imposed in the past upon binder twine and extends the section of the Act relating to the importation of machinery not manufactured in Canada to 1896. It would lapse this year if it were not thus extended three years longer.

The motion was agreed to, and the Bill was read the second time at length at the Table.

OCEAN STEAM-SHIP SUBSIDIES BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (129) "An Act to amend the Act respecting Ocean Steam-ship Subsidies."

The Bill was read the first time.

Hon. Mr. BOWELL—This is a Bill to amend section 1 of chap. 2 of the Statutes of 1889. It repeals the provision authorizing the Government to grant a subsidy to the extent of £25,000 sterling to any line of steamships running between Australia and British Columbia. The Government has not yet been able to secure any direct fortnightly line of steamers upon that route. A large English company owning a line at present running between some portion of Australia and New Zealand have made propositions to the Government to establish a monthly line of steamers of from 2,800 to 4,000 tons between Vancouver and Sydney for a subsidy of £25,000 sterling. The first proposition was a demand for £50,000. This amount they expected to be divided between Canada and Australia, and possibly the British Government would give something in the way of mail subsidies. We made the company a proposition of £20,000 for a monthly service, providing the time occupied in making each trip should not exceed twenty-one days—that is about four days less than is now occupied in making the trip from Australia to San Francisco. They intimated that it was impossible in the beginning of a service of this kind to accept less than £25,000. The Government, believing that this country is desirous of having a direct line between British Columbia and Australia with boats nearly if not quite equal to the Empress Line between Vancouver and Japan, came to the conclusion that if we could secure the services of this responsible and wealthy company for even a monthly line for twelve months, as an experiment, we would be justified in asking Parliament to change the Bill so as to allow us to give them the full subsidy of £25,000 sterling for the year's service. The proposition is simply this—that for one year the boats will be put upon the route, commencing in April next, and if it is found that there is a probability of the line paying, arrangements will be entered into with the company for three years at least. The House will, I think, appreciate the course which the company in self-defence is pursuing, and also the course which the Government proposes to pursue. If it is found that the route will not pay, even with the subsidy as large as that, it will be in the interests of the Dominion that we should cease paying the subsidy. On the other hand, if the company cannot make it pay with a subsidy of £25,000 per annum, it would be wrong to compel them to continue it for any number of years. These are the reasons which induced the Government to ask Parliament to consent to the amendment of the Act in order that we can make the trial of direct communication between Australia and Canada, and with a line of steamers that will make the trip in three or four days less time than that which runs between the Antipodes and San Francisco. With our facilities for carrying freight and passengers by the Canadian Pacific Railway, Canada will stand a fair chance to secure at least a large proportion of the trade between this continent and Australia. I may also add that the Canadian Pacific Railway Company have agreed to enter into arrangements with the steam-ship company to place at their disposal all the agents that they have in Australia and in Canada in order to procure freight both ways, and they pledge themselves to grant the minimum rate of freight charged to United States lines by the Central, the Southern and the Northern Pacific Railways, so that the probabilities are, in case this line is put upon the route, as there is no doubt it will be if this Bill passes, that we shall have in a very short time a large portion of the Australian trade, and I am also in hopes that it will open up a market for the surplus products of this country which have not now a market.

Hon. Mr. ALLAN—You mean the coming April?

Hon. Mr. BOWELL—Yes, next month.

Hon. Mr. POWER—The original Act was a bad one, but the present Bill is worse. That is my humble opinion about it. This is a very fair specimen of the kind of legislation of which we have had a good deal in Canada of late years. There is no doubt the people of Canada are asked to pay a very large tax, and this is done with the object of securing an advantage which, as a general thing, never materializes. Now, Canada has sent agents to Australia on more occasions than one, for the purpose of making inquiry there as to the reasonable probability of securing trade; and I think that the general feeling amongst business men is that, up to the present time at any rate, we have not been given any reason to suppose that there is likely to be any valuable trade between Australia and Canada. Now the Government come down and ask us to pay $100,000 a year on the chance that we may develop a little trade there. It is a proposition which should not receive the approval of Parliament, but it is a proposition which will receive that approval, and I do not suppose there is any particular object in talking about it except expressing ones dissent.

Hon. Mr. BOWELL—I hope the hon. gentleman will not object to the suspension of the rules.

Hon. Mr. POWER—No, I am not objecting: it will go through anyway.

Hon. Mr. BOWELL—I think the reason that no trade has ever been developed between Canada and Australia is because we have had no direct steam communication. A very large trade, the House knows, has developed between Japan and Canada, so large that it has excited the jealousy and envy of the United States railways, and they have almost threatened to annihilate the Canadian Pacific Railway. I am in hopes that if we get this direct line, as I think we shall, the trade will develop as largely with Australia as it has with Japan.

The Bill passed through its final stages under a suspension of the rules.

DRUMMOND COUNTY RAILWAY COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (71) "An Act respecting the Drummond County Railway" without amendment.

Hon. Mr. McMILLAN moved the third reading of the Bill.

Hon. Mr. BELLEROSE—This Bill comes before us under such peculiar circumstances that I feel bound to do anything which I can to show the House that it ought not to pass. I rise to a question of order as to the report of that Committee. If I read the rule correctly, it provides that in the case of a Bill from the House of Commons, notice must be given at least twenty-four hours before the Committee meets. Now, twenty-four hours means a day, and it has been customary for the past twenty-five years to give notice of Monday for Wednesday; that is one clear day. What is the object of that? You must go into the object of the rules to get at the meaning of them. Rule 61 says that if the Bill originates in the Senate, one week's notice must be given. Why? So as to give the parties who are interested time to reach the seat of Government and oppose or support the Bill. The rule adds that in case a Bill has gone through the other House it shall not be necessary to give a week's notice, because the parties are advised and informed, and are in a position to reach the seat of Government if they desire to do so. That is the evident object of the rule. Now, has that object been accomplished in this case? The Bill was read last night about 9.30.

Hon. Mr. McMILLAN—It was read before nine o'clock.

Hon. Mr. BELLEROSE—Then say 8.30. All the mails had gone except the North west mails. How could you inform those parties that the Bill would come up to-night at 9.00 or 9.30? Surely you could not. Then has the object of this rule been complied with? Not at all. That shows that the object of the rule was to give ample notice to interested parties to appear before the Committee. Otherwise why could not the Committee have sat last night immediately after we adjourned, and passed the Bill? The parties could not reach Ottawa in time. I have explained the object of the rule, and I say that the practice of the House is in favour of that interpretation. The Committee has never been summoned except after one clear day's notice. I am sure there is not a gentleman in this House who can cite a case where such a thing as is now attempted has been done. It is an innovation, and under what circumstances? I shall have occasion to speak of the circumstances probably by and by. If I were to do so now I would be called to order, and I confine my remarks to the question of order. If we look to the authorities, what do we find? In such cases in England, a clear day's notice is required. This again shows the intention of our rule. Then if this is so, why should we sanction an innovation and act upon an interpretation which evidently is not in accord with the intention of the rule? I object to the report of the Committee as being quite against the rules of this House.

Hon. Mr. POWER—The hon. gentleman from DeLanaudière, as a rule, has very clear views upon questions of order. I have heard him many times with a great deal of pleasure, but I do not think I have ever listened to him with more surprise than on the present occasion. Last evening when this Bill was being considered, it was contended that the twenty-four hours meant a day. It was used as an argument by the opponents of the Bill. I do not just know whether the hon. gentleman spoke upon that question, but others who agreed with him in opposing the Bill contended that twenty-four hours meant twenty-four hours, and His Honour the Speaker took that ground. Although I had argued as well as I could in the other direction, I had to admit, as I have freely admitted since, and I think all the friends of the Bill have admitted it, that the decision of His Honour the Speaker was right, and that when the rule said twenty-four hours, it meant that, and not thirty-six hours or forty-eight hours or anything else. The notices were duly posted before half-past nine last evening, and the Committee met at half-past nine this evening, as it had a perfect right to do, and devoted about forty minutes to the consideration of this Bill. The report comes before us, and if there is anything objectionable in the Bill, it is quite in order for any hon. gentleman to move an amendment, but I am surprised that the hon. gentleman should undertake to raise such a question of order as that. I have never heard a more frivolous point of order.

Hon. Mr. BELLEROSE—The hon. gentleman says he is surprised to hear me raise this objection. When the point was discussed yesterday I was not here, but if I had heard of it, I would only have come to the conclusion that the case had not been well discussed, since my views were just as I have stated them now. It would not prevent me from taking this objection to-day, even if I had known it; but I did not know it. However, if the question has been decided by the Speaker, I have nothing more to say. Had I known it I would not have raised the objection now.

Hon. Mr. De BOUCHERVILLE—The Bill has reached this stage without amendment, but not without opposition. I think, as others have thought, that there is a clause in this Bill which is very dangerous. It is the third clause, which reads thus:—

> "The company is hereby declared to have all the franchises, rights, privileges and authorities conferred upon it by the said Act of the Legislature of the province of Quebec."

I need not go any further; that is the only thing I want to draw attention to. Amongst the privileges granted by the Legislature of Quebec to this very road was that of issuing debentures, I think, to the amount of $20,000; it may be $25,000, but it was not less than $20,000. I call attention to the fact that this privilege is confirmed by the Bill which we are passing; it cannot be taken away. Although there might be other laws, there is nothing in the Railway Act of the Dominion that limits the quantity of debentures that may be issued. It is true that generally we have allowed those railroads to issue debentures to the amount of $25,000, but we leave to this company the right to issue debentures under its Quebec charter, and in addition give it power to issue other debentures to the extent of $25,000 a mile of the railway and branches. Therefore we have a company authorized to issue debentures to the extent of $45,000 per mile.

Hon. Mr. DICKEY—Oh, no.

Hon. Mr. De BOUCHERVILLE—I suppose the hon. gentleman means it is not his opinion; still it is well known that in another Bill passed during this session where several companies were merged into one to be called the Atlantic and Lake Superior Railway Company, Parliament put in this 9th clause which provides in effect that the Dominion Parliament gives the Company the right to issue debentures, but it must give up all other rights of issuing under other legislation. Since both Houses of Parliament have thought the precaution necessary in that case, and since, in the opinion of many, this Company will have in reality power to issue $45,000 or $50,000 a mile, there ought to be no opposition—although I expect some—to the following amendment. I move that the Bill be not now read the third time, but that it be referred to a Committee of the Whole House with instruction to insert after the word "extent" in line 2 of clause 7, "$25,000 in all including all issues under any powers conferred by the said Act of the province of Quebec." I hope, since we have already thought it necessary to take this precaution in the Act to which I have referred, there will be no hesitation to accept this, which, after all, will only assure the Company that we are not giving them the right to issue two sets of debentures.

Hon. Mr. POWER—I just wish to make two observations: one, that this Bill was carefully considered by the Committee of the House of Commons, counsel being heard on both sides, and that that committee, in which they are, as a rule, very careful as to the financial aspects of every measure, passed the Bill in its present form. I think the construction put upon the language of the Bill by the hon. gentleman is incorrect and unsound. The case of the North Atlantic Company is a totally different one from this. Various roads were being consolidated, and it was more convenient for practical purposes, for the purposes of the company itself, that there should be one line of debentures or mortgages rather than several of different kinds and denominations. It is not so in this case: there is only one company and one line. And the important point is this, hon. gentlemen, with respect to this measure, that the opposition to this Bill has been conducted in an unusual way. The hon. gentlemen who opposed the Bill made use of the Rules of the House, as they have a perfect right to do to the utmost extent, to prevent this Bill being considered by the committee upon its merits. If this Bill had been allowed to go to the committee at the time when it should have gone and would have gone if the technical Rules of the House had not been enforced against it, these objections and questions might have been considered by the Committee, and if the Committee had thought there was any doubt they might have made the amendment; but after all the delay which has been caused and which hindered the Committee from considering the Bill as carefully as it might perhaps have considered it; an amendment is now proposed which, if carried, will kill the Bill. There is only one more sitting day of Parliament. If this Bill goes down to the House of Commons with this amendment at the meeting on Saturday forenoon—I am not sure whether they have two meetings in the other House—but whether there are or not, the single objection of a member in the House of Commons can hinder the Bill becoming law. After a Bill has been fought through both Houses, as this has been, the fairer way is to deal with it on its merits. The people who invest in the bonds of the company will scrutinize the company's charters—this Act and the other Act—carefully enough to see that they are not taking any risk.

Hon. Mr. DICKEY—I wish to say a word on behalf of the committee who reported the Bill. Clause 3, to which my hon. friend adverted, reserved all the rights and privileges under the Quebec Act. Why? Because under it a large portion of this work has already been constructed, obligations have been incurred, and when they came to this House for legislation they put a clause in the Bill preserving all their rights and making all those securities available. Clause 7 provides that no greater issue of bonds for the prosecution of this work than $25,000 a mile shall be issued. My hon. friend says that the original Quebec Act fixed the limit at $20,000 a mile; well, this enlarges the power. In view of the extension of this line it should be enlarged to $25,000 a mile and no more; and therefore we had no hesitation in saying—and that was my opinion—that the issue of bonds was confined to $25,000 a mile; because this company asked to be placed under the provisions of the General Railway Act by being declared a work for the general advantage of Canada, and when they ask that privilege they must take the consequences. Under the general provisions of the Railway Act and under the special provisions in clause 97, there can be no doubt whatever that their power to issue bonds is confined to the sum of $25,000 a mile; and it was upon that view—which I have no hesitation in saying was the correct view—that we passed the Bill.

Hon. Mr. BELLEROSE—I cannot agree with the argument of the hon. member from Halifax, and the hon. member from Amherst. The Quebec Act gives the company power to issue bonds to the amount of $20,000 or $25,000 a mile. The hon. gentleman says that a part of the road has been constructed; that is true; but this has no effect upon what has been done. It does not prevent this Bill from giving, for the fifty or sixty or ninety miles to be built in the future, the right to issue bonds for $20,000 under the Quebec Act, and $25,000 under the present Bill.

Hon. Mr. DICKEY—Oh, no.

Hon. Mr. BELLEROSE—I beg the hon. gentleman's pardon. The objection of the Committee was that the General Act would make that all right. Very well, what did I ask. Will you tell me whether in the General Act the amount is limited? No; I say it is not limited. If the Act gives them all the franchises, powers, privileges and authorities which the company has under the Quebec Act, I say those rights and privileges remain theirs. If you add new powers, giving them rights to issue bonds for $25,000, then it will be $45,000 on the new portion of the road. It will not affect the forty-five miles which is built from Drummondville to St. Hyacinthe.

Hon. GENTLEMEN—No, no.

Hon. Mr. BELLEROSE—Hon. gentlemen may say "No, no," but the Act is there and speaks for itself. Now, if we are wrong about that, why is there this opposition to the amendment which merely declares that they shall not have power to issue bonds for more than $25,000? Why not grant it, if you are sure the Bill is sufficient? It very often happens that in legislation more is included in the Bill than is wanted, and why? In order to be quite sure. Then why not make it sure to-day? I suppose it is because of the indebtedness of that company to some banks which have loaned too much; the bank is to be paid out of the $45,000. The House is asked to say that our legislation in the past is unjust, because I recollect well that when a Bill was presented asking for power to issue bonds to the extent of over $25,000 a mile, the request was refused, and we amended those Bills; now we are asked to favour this company and grant them special privileges. I say all this in order that it may appear in our *Debates*, so that the public at large may see what we are doing. We should always pursue such a course that we need not be ashamed of what we do or leave ourselves open to a charge of inconsistency. What reasonable objection can there be to the amendment? We merely propose to add two or three words to say that the $25,000 which is mentioned here will be for all purposes—that it will set aside the power under the Quebec Act to issue $20,000 per mile. If that is already provided what harm can result from making it sure? We wish to give this company no more power than we give to others; that is all we ask, and I hope the Senate will accept the amendment. There is another argument which will appeal to men of independent minds; it is stated—and it is easily proved, because it is a public matter—that this Act of incorporation was presented to the Quebec Legislature a few years ago. The company was incorporated under a local Act for the construction of a road between two points in the province of Quebec. Not having succeeded in Quebec they come here for legislation, claiming that the road is for the benefit of Canada, in order to make it a Federal Act. Now, this alone ought to put the House on its guard.

Hon. Mr. POWER—The road connects with the Intercolonial Railway. That makes it a road for the general benefit of Canada.

Hon. Mr. BELLEROSE—The hon. gentleman says it goes as far as the Intercolonial Railway. Will he tell me that a local line connecting with a federal road is thereby removed from local legislation? I am sure, as a lawyer, he will not say that. If not, why does he interrupt me to say such things? Are we prepared in this House to say that we will impose upon the province of Quebec the building of a road under such circumstances as I have just stated? For my part, if this was an Ontario or a Nova Scotia case, I should decline to support it, because the Local Legislature having refused legislation, there must be some good reasons why it should not be granted, as we are not aware what reasons there were for refusing legislation at Quebec, we should not sanction it. Then there has been plenty of work done for some days past; a great many parties from outside have been here canvassing members in this House as in the other House. To-night at the meeting of the Committee, it was, I will not say a farce, but we could scarcely hear one another. Why was there so much talking? Why were these outsiders there?

Hon. Mr. BOWELL—I call the hon. gentleman to order: it is a well-known rule in all Parliaments that no member has a right to refer to the proceedings of a committee in the House.

Hon. Mr. BELLEROSE—I know I am out of order: but I believe I have given sufficient reasons to show to the majority of this House that this Bill ought not to pass in its present shape. I hope the Senate will grant the amendment, in order to make it sure that the company cannot issue more than $25,000 of debentures per mile.

Hon. Mr. MacINNES (Burlington)—There is nothing in the Bill itself that anybody could possibly object to. The only objections raised to the Bill are as to the bonding powers. It is contended, on the one hand, that under this Bill bonds to the extent of $45,000 a mile can be issued—$20,000 under the Quebec Act and $25,000 under this Bill. The promoters themselves have assured the Committee that they have no intention to issue more than $25,000 per mile—that none of the bonds have yet been issued. The chairman of the Committee, who is a man of very great experience, besides an eminent lawyer, has given us a very clear opinion on the subject. I must admit that I had a good deal of difficulty in making up my mind as to the vote I should give upon this measure, but after the discussion that has taken place, and looking at the Bill itself, I do not see any reason why I should vote against it.

Hon. Mr. ALLAN—I would ask the House to excuse me from voting in this case, and for this reason. I do not desire to put my opinion in opposition to that of a gentleman of so much legal experience as the hon. member from Amherst, whose opinions upon all occasions we look up to with very great respect. Distrusting my own judgment in the matter I do not care under those circumstances to vote in any way that would have the effect of throwing out the Bill, because that would be virtually the effect of carrying this amendment. At the same time, using my best judgment, and looking at clauses 7 and 3 I cannot bring my mind to the conclusion that clause 7 so far overrides clause 3 that the company will be precluded from issuing both the bonds under the Quebec Act and the bonds under the Bill now before us. All the powers and privileges that they possess under the Quebec Act are preserved to them by this Bill and there is nothing whatever said, so far as I can see, in clause No. 7 to limit the powers given them in clause No. 3 in any way whatever. The counsel who attended the meeting of the Committee on behalf of the promoters of the Bill, did state that no bonds whatever had been issued, but I did not understand, as the hon. member from Burlington says he understood them to say, that they never intended to issue them. So far as I can form any judgment in the matter, if this Bill passes the company will have power to issue bonds to the extent of $45,000 a mile if they please.

Hon. Mr. SMITH—What hardship would it bring upon the province of Quebec supposing they did issue bonds to that amount? Nobody would be fool enough to take those bonds.

Hon. Mr. READ (Quinté)—I see that we passed a Bill with a similar clause this session, the Act relating to the Chilliwhack Railway Company. That company was incorporated by the Legislature of the province of British Columbia, and in our legislation we gave that company the same power that is given in this Bill. If we do authorize the company to issue bonds to the extent of $45,000 a mile, as it is stated this Bill will do, it will be nothing more than we have done in the case of the other company.

Hon. Mr. ALLAN—We all know that constructing a railway through that sea of mountains costs a great deal more than building a railway through this eastern country.

Hon. Mr. DICKEY—It is scarcely fit that our time should be occupied by a question which cannot be put, because this is a motion in amendment to the Bill, of which no notice whatever has been given, and therefore it cannot be entertained.

Hon. Mr. BELLEROSE—You cannot pass the Bill to-day then. Let the third reading stand until Saturday, and we will give notice of the amendment. At the third reading every member has a right to move an amendment.

Hon. Mr. POWER—On the question of order I think the hon. gentleman from DeLanaudière is wrong, but I must ask the hon. gentleman from Amherst to be kind enough to withdraw that technical objection. It is only right that the opinion of the House should be taken on the amendment.

Hon. Mr. DICKEY—Very well, I withdraw it.

Hon. Mr. POWER—Although technically the amendment may not be in order, still there has been no opportunity to give notice and I think it would not be treating the opposition to the Bill fairly to press the point of order. The correct thing is to let the amendment be put.

Hon. Mr. DE BOUCHERVILLE—I wish to speak on the point of order.

Hon. Mr. POWER—There is no question of order before the House. The hon. member from Amherst raised a point of order and then withdrew his objection.

Hon. Mr. DE BOUCHERVILLE—The hon. gentleman says that at the third reading of a Bill notice must be given of any important amendment. The hon. gentlemen who support this Bill all admit that this question is not an important one, because in their opinion the same thing is in the Bill that is in my motion. How, therefore, can this be an important amendment and what necessity is there to give notice? It is a very common thing in this House to move at the third reading that the Bill be sent back to the Committee. If it were necessary to give notice twenty-four hours in advance, how could that be done? It stands to reason that there cannot be a notice of motion in this case. The hon. gentleman from Halifax says that if there had been more time the Committee might have considered our objection, but that there was so little time that the Bill might be lost and we cannot put the amendment to the Bill. The question is this —should we allow a doubt to exist? Certainly no one will say that there is not a doubt when half the House is of one opinion and the other half of another opinion. I want to have the doubt removed and that is why I wish to have a vote on my amendment.

The House divided on the amendment, which was rejected by the following vote:—

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McMillan,
Macfarlane,
MacInnes (Burlington),
O'Donohoe,
Power,
Primrose,
Read (Quinte),
Smith,
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The Bill was then read the third time, on a division.

On the question—Shall this Bill pass?

Hon. Mr. GUÉVREMONT (in French) —Contrary to custom, I wish to propose an amendment to the Bill at this stage. Hon. gentlemen may think it extraordinary, but I wish to put this amendment on record. On a question of such importance to my constituents as this, I feel that I must deviate from the regular course followed in this House. I believe it to be my duty to explain my reasons for taking this unusual course, and also to explain how this Bill injuriously affects my constituents. The Great Eastern Company obtained a charter to construct a railway through the counties of Verchères, Boucherville, Richelieu, Yamaska, Nicolet and Lotbinière. This charter was obtained several years ago, but the road has not been completed yet. The company have met with difficulties, and these difficulties will be increased by the passage of this Bill. If we pass this measure it will be the means of delaying, if not altogether preventing the construction of that road on the south shore of the St. Lawrence. The Grand Trunk Railway was commenced in 1850-51. In 1856 that company found itself in such a position that it could not continue its work, and if the Government of the two Canadas had not come to its aid, the undertaking would have been dropped. In 1856 the Parliament of Canada voted aid to assist the company to complete their line between Rivière du Loup and Sarnia. That measure was carried by a majority of one. The representative of the counties of Drummond and Arthabaska, Mr. J. B. Dorion, voted against that measure. The result of the completion of that road was that it opened up the forests of Canada for settlement. If the country is settled and prosperous to-day, it is due to the building of that railway. The Government in that instance put the Grand Trunk Railway Company in a position to complete its road. The member who represented the five counties to which I have referred voted for that measure. To this day those five counties are without railway facilities, and they depend upon the construction of this Great Eastern line to provide them with railway communication. Now, when the Great Eastern Railway Company is making an effort to construct that line, a measure is brought before this House to authorize the building of a competing line a short distance south of the St. Lawrence, which, as I understand, will have the effect of preventing the Great Eastern from continuing its work. That is the reason why I have taken every means in my power to prevent the passage of this Bill, and I only regret that my efforts have been unsuccessful. I have acted in the interests of my constituents and in the interests of the Eastern Townships generally. The people of that section will feel deeply the absence of any sentiment of gratitude in this House for their generous support to the Grand Trunk Railway measure in 1856. I therefore move that the Bill be not now read the third time, but that the 4th clause thereof be struck out.

The motion was declared lost on a division.

The Bill then passed.

The Senate adjourned at 12.15 a.m.

THE SENATE.

Ottawa, Saturday, April 1st, 1893.

THE SPEAKER took the Chair at 11 a.m.

Prayers and routine proceedings.

THE SESSIONAL MESSENGERS' PAY.

MOTION.

Hon. Mr. BOWELL—I find that since the Senate, upon my motion, struck out of the report of the Committee on Contingent Accounts the paragraph relating to the payment of the sessional messengers, the House of Commons have granted what might be termed a gratuity to their messengers and servants of 15 days' additional pay. Under the circumstances, with the consent of the House, I propose to move a reconsideration of the motion that was carried here, striking out that paragraph from the report of the Contingent Accounts Committee and substituting therefor words which will give to the messengers of the Senate 15 days' additional pay—the same amount that has been awarded to the messengers of the House of Commons. I move that the resolution adopted by the Senate on Tuesday, the 28th day of March inst., whereby the sixth paragraph of the report of the Committee on Contingent Accounts of the Senate was stricken out, be now reconsidered.

The motion was agreed to.

Hon. Mr. BOWELL moved that the sixth paragraph of the said report be amended by striking out $250 and substituting therefor the words "$2.50 per day for the session, and in addition thereto payment at the same rate for 15 days additional."

Hon. Mr. POWER—I am very glad that the leader of the Government has, to a certain extent, reconsidered his somewhat hasty action of the other day. My contention is, however, that it would have been wiser to have adopted the report of the Committee as it stood originally. That provided that each sessional messenger should be paid $250 for the session in accordance with the uniform practice of the House. The public would have known nothing about the matter. Now we are reaching about the same end, but the course that we are pursuing advertises to the public that we are paying these men for time during which they are not occupied here. The motion is a good one, but the way in which the thing is done is objectionable. It would have been better to have acted on the recommendation of the Committee on Contingent Accounts.

Hon. Mr. BOWELL—I quite accord with the views expressed by the hon. member from Halifax. I would be personally opposed to the principle of paying any sum to any person for work not performed, but I could not conceive it just or equitable to the messengers of this House, if that rule were departed from in the House of Commons, that our messengers should not receive as much as the employees of the other branch of Parliament. That is why I have made this motion to-day. I am not prepared to admit, however, that my action on the 28th March was even hasty or had not been fully considered.

The motion was agreed to.

DUTIES OF CUSTOMS ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. BOWELL moved the third reading of Bill (126) "An Act further to amend the Act respecting the duties of Customs."

Hon. Mr. POWER—This Bill was allowed to stand over at my suggestion. I am thankful to the House for the courtesy extended to me. Probably this is not just the best time to go into a discussion of the tariff. I have no doubt if I were to make a speech of half an hour or so, and the hon. leader of the Government, or some other gentleman on that side, were to reply, that the hon. gentleman for Ottawa would speak for another hour or so. It would be very instructive, but it might interfere with the progress of the regular business.

Hon. Mr. BOWELL—Suppose we pair off.

Hon. Mr. POWER—There is a legal maxim which says the law does not pay any regard to trifles. The amendments which this Bill proposes to make in the existing tariff are mere trifles, and therefore I think it is wiser not to consider them. I may make one or two observations on the changes which are proposed by this Bill. One is to reduce the duty on binder twine from 25 to 12½ per cent. I hope it may afford a certain measure of relief to the farmers of the West who use binder twine in large quantities, but I hardly think that it will, for this reason—pretty nearly the whole business of manufacturing cordage and rope of all kinds on this continent is in the hands of a single combination. The National Cordage Company of the United States controls nearly the whole output of that country, and the Consumers Cordage Company of Canada controls the whole output of Canada except what may be made in the Central Prison at Toronto and what may be made hereafter in the prison at Kingston under the arrangements made by the Government, and the consequence is that the reduction in duty cannot materially affect the price of binder twine, because the cordage which would compete with that of the Consumers Cordage Company is the cordage manufactured by the National Cordage Company in the United States and they are one and the same concern practically. There is, therefore, no substantial competition. If the duty were removed altogether it might be worth the while of the manufacturers of the old country to make arrangements to send binder twine to Canada. Under the present circumstances, I do not think it will be, and the probabilities are that this reduction in the duty on binder twine will have a very immaterial effect. Then, as to the duty on coal oil, I do not understand that the duty has been reduced, but the regulations which go along with the tariff have imposed an almost prohibitory duty on coal oil, and these regulations have been to a certain extent modified. That will probably help to reduce the price of that very necessary article. Meanwhile the Government have the whole subject of the tariff under consideration. I suppose we may be thankful this year for very small mercies, and we may hope that by next year the eyes of the Government will be properly opened and that they will give us a material reduction in the tariff.

Hon. Mr. DEVER—If the reduction of 12½ per cent duty on binding twine does not make any difference, the entire removal of the duty would not make a difference. I think this Bill reduces the tax to a very low point, and brings fairly into competition the binding twine of other countries. Everybody must be satisfied that the duty now is merely nominal. Before New Brunswick came into the Union we used to pride ourselves that our duty was only from 12½ to 15 per cent. We thought we were doing very well, and I think still that we were doing well. I should be glad to see our tariff reduced to a uniform 12½ or 15 per cent, and I do not think that there would be any difficulty in accomplishing it and earning the gratitude of the country. This Bill is a great step in advance in the matter of binding twine, because it is certainly acceding to the wishes of the farming community, whom we are most anxious to consider. If there is any class of people that feels the effect of the high duty, it certainly is the farming interest. Therefore, when we make concessions to the farming community, it should be, and I believe it will be, satisfactory to the whole people of Canada.

Hon. Mr. BOWELL—I have no complaint whatever to make of the comments made by the hon. gentleman from Halifax, but I think if he had carried his logic a little further he would have come to the some conclusion as my hon. friend from St. John. If the reduction from 25 per cent to 12½ per cent is to be of no benefit because the market is controlled by the American combine, that combine would exist to just as great an extent if the market were free, and consequently if they control the market now with the duty lowered to 12½ per cent, they would control it if we had no duty at all. If they charge an exorbitant price now, they would continue to charge an exorbitant price then, were it not for the advantage given to the manufacturers in Germany and England to compete with them under a duty of 12½ instead of 25 per cent. In reference to coal oil, we import into this country some 10,000,000 gallons per annum for consumption, and the reduction of from 3 to 4 cents per gallon is no small decrease. That is brought about by the facilities which are offered to the importers of that oil by the removal of the restrictions which existed formerly in reference to the tank importations and the reduction from 30 to 10 cents in the inspection fees.

Hon. Mr. DEVER—Not only that, but it gives an opportunity to our mechanics to manufacture barrels, which were formerly manufactured in the United States. The hon. gentleman will see that it means a considerable profit to the country.

Hon. Mr. POWER—I congratulate the Government on the fact that the hon. gentleman from St. John, who was manifesting symptoms of independence during the session, has got back to his right place at the close of it. I did not say that the reduction from 25 per cent to 12½ per cent would be no benefit; I said it would have a very trifling effect, and I gave as a reason that that reduction would not be sufficient to induce the manufacturers in England to go into that line of business and to come over here and compete with the United States manufacturers. If there was no combine between Canada and the United States, the reduction of the duty would be very considerable and important.

Hon. Mr. DEVER—I would remind the hon. gentleman from Halifax that I am always in opposition to the Government when their measures are not good. When their measures are good, I would be acting very improperly to oppose them.

The motion was agreed to, and the Bill was read the third time and passed.

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. BOWELL moved the second reading of Bill (132) "An Act further to amend the Act respecting the Senate and House of Commons." He said:—This Bill is in the line of the resolution we have just passed in reference to the messengers. It is to allow each member of Parliament to be paid his full sessional indemnity, unless he has been absent more than six days during the session from his attendance in the House. You remember at the last session of Parliament the time allowed was twelve days. That was on account of the great length of the session by which members were kept from their ordinary business a much longer time than in ordinary sessions of Parliament. This Bill is to allow six days, which is supposed to be a time proportionate to that allowed last session. While moving this I express the hope that in future the House of Commons will not adopt this system, but as the Bill has been passed by the House of Commons at the solicitation of the members of that House, I see no reason why the members of the Senate should not be treated in the same way.

Hon. Mr. ALLAN—Last session was an extraordinary one, and I think that the Government were justified in allowing a certain number of days, because in a session extending four or five months, members would necessarily require to be absent sometimes. My own objection to the Bill is that it looks like adding six days to the sessional indemnity.

Hon. Mr. POWER—I objected to the rule being suspended in favour of this Bill at its first reading, and I do not regret that I did so. I was pleased to notice that the hon. leader of the Government did not feel himself in a position to say anything in favour of this Bill. It is one calculated to bring discredit upon and lower the dignity of this Parliament in the eyes of so much of the civilized world as becomes aware of this action. Last session was a very long one. It extended over the business part of the year, and (as I think even last year very improperly) the Government introduced a measure at the close of the session allowing each member to get the indemnity for twelve days as having been spent in the service of the country which these gentlemen had spent in attending to their own business. It comes to this, that a member of either House has his choice. He is paid a certain sum to cover his expenses while here at the seat of Government. If he thinks that his own private business is of more consequence than the business of the country, and he goes home and he attends to his own private business, he has no right to expect to be paid from the public Treasury as though he had been serving the country. There was some little excuse last year, as I have said, but this year we have had an exceptionally short session—lasting only two months—the shortest session since 1876, and members are paid $1,000 for the session—that is at the rate of $6,000 a year. There may be a few members of either House whose time and services are worth more than $6,000 a year, but I do not think that any one will undertake to contend that the services of a majority of the members are worth more than that. The rate of $6,000 a year is very handsome payment indeed. The members should have been satisfied with it, and should not have introduced such a measure as this. I was sorry that the leader of the Government did not speak in a more decided tone when he came to express the hope that this would not form a precedent. As I said before, I think it is highly objectionable and discreditable legislation. It just means this, that the House of Commons have the public Treasury under their control, and at the close of the shortest session for 18 years they help themselves from the Treasury to the extent of about $8,000. They are supposed to be the guardians of the Treasury and yet, while acting as guardians, they are taking the public funds for the benefit of members of Parliament, to the extent of about $8,000.

The motion was agreed to, and the Bill was read the second time at length at the Table.

Hon. Mr. BOWELL moved the third reading of the Bill.

Hon. Mr. McINNES (B.C.)—Divide!

Hon. Mr. SCOTT—I regret very much the innovation which has been under discussion, but I think we would be taking a very high-handed part if we were to throw out this Bill. I have no personal interest in it, but I should be very sorry to interfere with the opinions and views of gentlemen whose position and circumstances I do not choose at the present moment to inquire about. I think it is a great mistake to discuss this Bill, and it would be a still greater mistake to divide the House upon it. If there is to be a division I ask to be excused from voting.

Hon. Mr. McINNES (B.C.)—The reason why I ask for the yeas and nays is this—a few days ago, a recommendation was made by the Contingent Accounts Committee of this House to give our sessional messengers the full sessional allowance. This was objected to by the Government. It was one of the smallest and most penurious things that I knew any Government to be guilty of. I venture to say that if the late Sir John Macdonald had been in his place in the other House, or the late Mr. Mackenzie, he would have shrunk from doing an injustice to those poor helpless sessional messengers. I understand the Internal Economy Committee of the other House have graciously agreed to allow them fifteen out of the thirty-five days that they were short of the 100, thereby diminishing the reduction to $40 or $50 each. It is a small thing to make any reduction in the pay of those men, and I am astonished that any Government or committee would be guilty of it. A Bill is now presented to this House asking that members of both Houses of Parliament should be granted $48 each—for what? Is it for attending to their duties in Parliament? No, it is simply to pay them for looking after their own private business at home, or, I will not say gallivanting about the country, but going about the country interfering in elections. Last year it was very objectionable to grant additional indemnity—this year I consider it still more objectionable, for the reasons which have been given by the hon. gentleman from Halifax. This is one of the shortest sessions since Confederation, and we would be doing wrong if we were to vote away some $8,000, which this Bill will be the means of doing, while we are depriving the six sessional messengers in this House of some $40 or $50 each. If those messengers had any control over the length of the session, if it were through any fault of their own that they are here a shorter time than usual it would be different. The fact that this session covers only sixty or sixty-five days is not their fault. If they were in a position to vindicate their rights I would not occupy the time of the House in discussing the subject, but certainly I do not feel disposed to let this Bill go without dividing the House.

Hon. Mr. ALLAN—I think we are making a great ado about a small matter. Moreover, I do not think we have a right to criticize the proceedings of the other House and suggest that they are taking this extra amount to cover time spent in looking after elections. It is a pity the matter should be discussed in this way. As regards the messengers, I was one of those who voted in the Committee for not granting them an extra allowance, and for this reason, the hon. gentleman knows very well that we have had it thrown in our teeth from time to time that our expenditures are extravagant, and in excess of those of the House of Commons. Therefore, when I heard that the House of Commons had voted a certain sum to their messengers, I did not think that we should go beyond that. But when the House of Commons chose to increase the amount, there was no reason why our messengers should be placed at a disadvantage as compared with the messengers of the other House. While I agree as to the inexpediency of making this allowance at this time of the session, still I do not think we will place ourselves in a very dignified position by dividing the House on this Bill.

Hon. Mr. BOWELL—I cannot allow the remarks of the hon. gentleman from New Westminster to pass without a slight comment. I do not know what he meant or intended to convey by his very courteous words—the smallest thing ever perpetrated by a Government—but one thing I can tell him, that the late Sir John Macdonald, had he been here, would have been just as safe a guardian of the public funds as the hon. gentleman could be. Sir John Macdonald's views of right and wrong certainly cannot be gauged by the opinions expressed by the hon. gentleman from New Westminster. The report of the Contingent Accounts Committee was based upon principle. That principle I expressed very fully at the time—that I thought either House should deal in matters of public expenditure as far as possible in the same manner as they would deal with their own funds, and I question very much if the hon. gentleman would have put his hand in his pocket to pay any one of his servants $125 a month when he had agreed to pay him only $2.50 per day. It is singularly unfortunate that in public affairs, people have their pets that they desire to pay, at the expense of the country, more than they should legally receive. We have acted upon the broad principle of paying our messengers the wages that we agreed to pay them. If any one has done extra service then I say a gratuity should be paid to him, as one would do in private business, and as I have no doubt would be done here if circumstances warranted such payment, but I object *in toto* to the construction put upon my action. I took the course that I pursued here upon my own individual responsibility, but I am quite satisfied that the Government, if their opinion were asked, would justify my course in that matter; nor should I have deviated from that had it not been from the fact that the House of Commons thought proper to make an allowance to their messengers, and I could see no equitable reasons why the messengers of this House should not receive the same consideration. As to the Bill now before us, I have not the slightest objection to record my vote in its favour, though, as I intimated when I moved the motion, I think it would be more dignified—and I say it unreservedly—if members of either House did not urge this matter session after session. However, as the Bill has been passed by the House of Commons, it will place the Senate in an invidious position were they to reject it. If we are to have a division I trust the hon. gentleman from Ottawa will not be excused from recording his vote, because he has no personal interest, nor has any other hon. gentleman who has been at the seat of Government during the whole period of the session. It affects only those who happened to be absent. I almost regret having made those remarks, but I considered them necessary, because I did not think the hon. gentleman's remarks were warranted under the circumstances. I might call his attention to this also—I know of no by-election which has taken place, except the one in Middlesex, during this session.

Hon. Mr. McINNES (B.C.)—I was speaking of last year.

Hon. Mr. BOWELL—We are not dealing with the matters of last session. There has been no "gallivanting about the country," or electioneering that I am aware of, unless it has been in the election of the gentleman who has just taken his seat in the House of Commons for Middlesex. It is one of the rights of a British subject to take part in elections and endeavour to elect the man of his choice, in order to affirm the principles which he believes to be right in governing the country without his action being designated as "gallivanting."

Hon. Mr. McINNES (B.C.)—He should do it at his own expense.

Hon. Mr. BOWELL—I shall take part in elections as long as I have the health and strength to do it, and I have no doubt the hon. gentleman would do the same thing if he thought he could help his party.

Hon. Mr. McINNES (B.C.)—I trust that the hon. gentleman will not take my remarks as being personal—I did not refer to him personally. I meant to refer to the Government as a whole.

Hon. Mr. BELLEROSE—I have already given my views on this question and I have not changed them. When I spoke on the subject, had a vote been taken I should probably have recorded mine against the Bill. But to-day I must deal with the matter as it stands before us. The Government having done what I believe is right towards our messengers, or at least having given them a portion of what they are entitled to, I shall not vote against this Bill. We must approve of what has been done in the other House. The members of that body having decided that there is a justification this year for allowing six days absence of any member without reducing his sessional indemnity, I should not like to condemn their judgment. While I am not in favour of the principle of this Bill, I believe that the sessional indemnity ought to be larger than it is. Public men who devote themselves to their duties should receive more than $1,000 a year. However, in this instance that is not the question before us; we are simply asked to declare that a member shall not suffer a reduction of his indemnity unless he has been absent more than six days during the session. If the House is divided on this question, I shall vote for the Bill.

Hon. Mr. SMITH—At this late stage of the session, and inasmuch as we are not responsible for this Bill, I think it is bad taste to find fault with those who are responsible to the country for their action. It is a small matter, and not one calculated to improve the character of this House to give such prominence to this particular motion. The hon. gentlemen who are opposing this Bill were quite willing recently to vote away the public money to people who had not earned it, but they are ready to-day to find fault with a Bill which comes to us endorsed by the House of Commons. It is a poor rule that will not work both ways. The hon. member from New Westminster was one of those who would have voted away the public money improperly this week had the House allowed him to do so. Since we are not responsible for this Bill, I cannot see why the hon. gentleman opposes it, unless his object is to make a little political capital at the end of the session. He has had so very little to find fault with this session that we should forgive him for seizing upon this opportunity to make a point against the majority.

Hon. Mr. POWER—I rise simply for the purpose of asking the hon. gentleman from New Westminster not to demand a division on this Bill. I cannot agree with the hon. gentleman from Toronto that it is bad taste to discuss it. I think the bad taste was in introducing the measure and passing it; but inasmuch as we are not responsible for it and cannot defeat it, it would be better not to have a division. I hope the expression of opinion here to-day may have the effect of preventing the introduction of such measures in the future.

The motion was agreed to, and the Bill was read the third time and passed.

HOMESTEAD EXEMPTION ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (116) " An Act to amend the Homestead Exemption Act."

The Bill was read the first time.

Hon. Mr. BOWELL moved that the rule be suspended, and that the Bill be read the second time at length at the Table. He said:—Under the statute regulating homestead exemptions in the North-west each settler is allowed to hold 80 acres free from seizure. The Manitoba Legislature passed an Act extending the exemption to 160 acres. That Act was declared *ultra vires* of their power under the Constitution. A motion was introduced in the other House by Mr. Davin to repeal the clause altogether. That would have the effect of leaving the settlers without an exemption whatever from seizure. The Minister of the Interior did not think that that would be justice to the settlers, particularly those who had selected homesteads in the North-west under the Act providing for the exemption of 80 acres, and instead of repealing the provision altogether, this Bill provides for the repeal of the section limiting the exemption to 80 acres and extends it to 160 acres. This Bill will confer a greater benefit on the settlers than they enjoy under the present law.

The motion was agreed to, and the Bill passed through its final stages.

DAIRY PRODUCTS BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (125) "An Act to prevent the manufacture and sale of filled or imitation cheese, and to provide for the branding of dairy products."

The Bill was read the first time.

Hon. Mr. ANGERS moved the suspension of the rule, and that the Bill be read the second time at length at the Table. He said:—The object of this Bill is to prevent the sale of skim-milk cheese unless it is branded as such, and to prevent United States cheese from being brought into this country and sold in England as Canadian cheese. It also provides that all Canadian cheese for export shall be marked "Canada" or "Canadian."

Hon. Mr. SCOTT—It is quite apparent that we are having some very important legislation introduced within a few hours of the prorogation of Parliament. It is fortunate that the proposed legislation is such that it is not open to serious objection. At the same time, it is scarcely fair to the Senate to deprive us of an opportunity of commenting on these measures. I quite appreciate the importance of this Bill and think it is most desirable that United States cheese should not be sold in the European market under the name of Canadian, as I am told has been done. How do the Government propose to meet the difficulty which is sure to arise of cheese being branded, as it can be in the United States, "Canadian" and shipped through Canada to England in bond? Have we the power to change the brand on these packages? How are we to examine them to ascertain whether they are improperly marked? It raises a very important international question. That is where the great danger is to be apprehended. I do not see how we can check the fraud when it is perpetrated in the way I have indicated.

Hon. Mr. ANGERS—It is impossible to interfere with goods passing through this country in bond. If the cheese bears false marks I do not think that we can alter those marks. What we can do is to prevent Canadian citizens from dealing with that cheese—punish them for selling when they know that it has not been made in this country.

Hon. Mr. SCOTT—The sales, of course, are made on the other side of the Atlantic.

Hon. Mr. ANGERS—There is always a middle-man in Canada and we can reach him.

The motion was agreed to, and the Bill passed through its final stages.

HARBOUR COMMISSIONERS OF MONTREAL BILL.

COMMONS AMENDMENTS AGREED TO.

A Message was received from the House of Commons to return Bill (99) "An Act respecting the Harbour Commissioners of Montreal," with amendments.

Hon. Mr. ANGERS moved that the amendments be concurred in. He said:—The Bill was amended in this House to make the Mayor of Montreal *ex officio* a member of the Montreal Harbour Commission. The result of the amendment was to equally divide the Board between those appointed by the Government and those representing the city. It is desirable that the Government should have a controlling voice; they are expending public moneys in Montreal harbour, and it has always been an accepted principle in such cases that the Government should have the control. This amendment is to add another member, so that there may be six appointed by the Government and five by the city.

The motion was agreed to.

THE SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (135) "An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service, for the financial years ending respectively the 30th June, 1893, and the 30th June, 1894, and for other purposes relating to the public service."

The Bill was read the first time.

Hon. Mr. BOWELL moved the suspension of the rule and that the Bill be read the second time.

Hon. Mr. MACDONALD (B.C.)—Before the Bill is passed, I wish to congratulate the Government and this House on the shortness of the session. It has been a very satisfactory session. We have been busy from the first. It shows what can be done when the Government is prepared with its measures in time. I hope they will be equally prepared next year and that we may look forward to having shorter sessions hereafter than we have had of late years—sessions extending not longer than ninety days. If the work is pushed as vigorously next session as it has been this year, and the Government are prepared with their estimates and measures at the opening, the session need not last longer than ninety days at the outside.

Hon. Mr. POWER—The hon. gentleman from Victoria has every reason to be satisfied with the session. I notice in the Estimates that over $300,000 has been appropriated to be expended in Victoria and its immediate vicinity. I can readily understand that the session has been exceedingly satisfactory to him.

Hon. Mr. BOWELL—I thank the hon. gentleman from Victoria for the remarks he has made in reference to the action of the Government during the present session, but I can assure him that the length of the session is not always the result of the Government not being prepared with its measures, or of the Budget speech not being delivered at an early day. In the more democratic branch of Parliament time is occupied unsparingly for days and weeks, and sometimes for months, in discussing abstract principles, discussing matters over which the Government have no control whatever, and in this way, to a very great extent, the sessions are prolonged. However, it is not always the fault of those who pursue that course. On behalf of the Government I have to thank the chairmen of the different committees for the assiduity with which they have discharged their duties during the present session. Very little time has been lost by the standing committees in the consideration of the measures submitted to them. For myself, I am extremely thankful for the courtesy and assistance I have received from every member of the Senate during the session. I feel it all the more from the fact that I entered the House as a stranger—at least to this House—assuming a very responsible position and following a gentleman whose talents and ability were universally recognized; but I have been relieved of anxiety to a very great extent by the assistance received, not only from gentlemen who are in accord with the Government upon their general policy, but also from those who differ from us upon the great questions which divide parties in this country. I can only hope that as long as I occupy my present position we may at the end of every session of Parliament be enabled, as we are now, to congratulate ourselves upon the kindly feeling that exists between all parties. As we are to a very great extent placed in positions where the narrow views of politicians should not prevail, for the purpose of legislating in the public interests without introducing those acrimonious discussions which sometimes take place in the other branch of Parliament, I hope that we shall continue to pursue the same moderate course. If the members of the House are as satisfied and gratified with the conduct of the members representing the Government in the Senate as I am with them, I can only say that we part not only good friends, but with the hope that our intercourse will continue and be of the same agreeable character in the future. (Applause.)

Hon. Mr. POWER—So say we all.

The Bill passed through its final stages.

The Senate adjourned during pleasure.

THE PROROGATION.

At three o'clock p.m., His Excellency the Governor-General proceeded in state to the Senate Chamber and took his seat upon the Throne. The members of the Senate being assembled, His Excellency was pleased to command the attendance of the House of Commons and that House being present, the following Bills were assented to, in Her Majesty's name, by His Excellency the Governor-General, viz. :—

An Act respecting the Hamilton Provident and Loan Society.

An Act to incorporate the Dominion Burglary Guarantee Company (Limited).

An Act respecting the Central Counties Railway Company.

An Act respecting the Grand Trunk, Georgian Bay and Lake Erie Railway Company.

An Act respecting the Manitoba and South-eastern Railway Company.

An Act respecting the St. Lawrence and Adirondack Railway Company.

An Act to amend the Act to readjust the Representation in the House of Commons.

An Act to give effect to an agreement between the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, and the Corporation of the City of Toronto.

An Act respecting the Lake Erie and Detroit River Railway Company.

An Act to amend the Act to incorporate the Montreal and Atlantic Railway Company.

An Act to amend the Act to incorporate the Buffalo and Fort Erie Bridge Company.

An Act to amend the Act to incorporate the Manufacturers' Accident Insurance Company, and to change its name to "The Manufacturers' Guarantee and Accident Insurance Company."

An Act to incorporate the Eastern Trust Company.

An Act respecting the Alberta Railway and Coal Company.

An Act to amend the law relating to Holidays.

An Act to correct a clerical error in the Bank Act.

An Act to amend the Wrecks and Salvage Act.

An Act respecting the disposal of moneys paid in connection with proceedings before Parliament.

An Act for the relief of Edmund Holyoake Heward.

An Act for the relief of Martha Ballantyne.

An Act for the relief of James Balfour.

An Act respecting the Western Counties Railway Company, and to change the name of the Company to the Yarmouth and Annapolis Railway Company.

An Act respecting the Canada Life Assurance Company.

An Act to revive and amend the Act to incorporate the Equity Insurance Company, and to change the name of the Company to the St. Lawrence Insurance Company.

An Act to incorporate the Woodmen of the World.

An Act to incorporate the Ocean Guarantee Corporation.

An Act respecting the Canadian Power Company.

An Act for the relief of Robert Young Hebden.

An Act respecting the Port Arthur, Duluth and Western Railway Company.

An Act to amend an Act respecting the Nova Scotia Permanent Benefit Building Society and Savings Fund.

An Act relating to the Harbour of Thornbury, on Georgian Bay.

An Act further to amend the Act to enable the City of Winnipeg to utilize the Assiniboine River water power.

An Act respecting the Canadian Pacific Railway Company.

An Act respecting the Chilliwhack Railway Company.

An Act to incorporate the Atlantic and Lake Superior Railway Company.

An Act respecting the Columbia and Kootenay Railway and Navigation Company.

An Act further to amend the Supreme and Exchequer Courts Act.

An Act to incorporate the Canada Carriage Company.

An Act to incorporate the Ocean Accident Corporation.

An Act to incorporate the Canada North-west Land Company (Limited).

An Act respecting the Grand Trunk Railway Company of Canada.

An Act to revive and amend the Act to incorporate the Moncton and Prince Edward Island Railway and Ferry Company.

An Act to consolidate and amend certain Acts relating to the Manitoba and North-western Railway Company of Canada.

An Act to incorporate the Cleveland, Port Stanley and London Transportation and Railway Company, and to confirm an Agreement respecting the London and Port Stanley Railway.

An Act respecting the Nelson and Fort Sheppard Railway Company.

An Act to incorporate the Automatic Telephone and Electric Company of Canada.

An Act respecting the London and Port Stanley Railway Company.

An Act respecting the Temiscouata Railway Company.

An Act to incorporate the Canada Atlantic and Plant Steam-ship Company (Limited).

An Act to amend an Act to incorporate the Eastern Canada Savings and Loan Company (Limited).

An Act respecting the British American Assurance Company.

An Act to incorporate the Canadian Gas Association.

An Act further to amend the Steam-boat Inspection Act.

An Act to amend the Act respecting the Harbour and River Police of the province of Quebec.

An Act further to amend the Act respecting Public Officers.

An Act to incorporate the Grand Council of the Catholic Mutual Benefit Association of Canada.

An Act to revive and amend the Act to incorporate the North Canadian Atlantic Railway and Steam-ship Company, and to change the name thereof to "The Quebec and Labrador Railway and Steam-ship Company."

An Act to amend the Inland Waters Seamen's Act.

An Act for the relief of John Francis Schwaller.

An Act for the relief of James Frederick Doran.

An Act for the relief of Annette Marion Goff.

An Act further to amend the Act respecting Joint Stock Companies to construct works to facilitate the transmission of Timber down Rivers and Streams.

An Act to incorporate the Nakusp and Slocan Railway Company.

An Act respecting the Toronto, Hamilton and Buffalo Railway Company.

An Act to confirm the sale of the Carleton, City of Saint John, Branch Railroad.

An Act to incorporate the Canadian Live Stock Insurance Association.

An Act to make further provision respecting Grants of Land to members of the Militia Force on active service in the North-west.

An Act to incorporate the British Columbia Dock Company.

An Act to incorporate the Calgary Street Railway.

An Act to amend the Civil Service Superannuation Act.

An Act respecting the Voters' Lists, 1893.

An Act to incorporate the North American Canal Company.

An Act further to amend the Patent Act.

An Act to incorporate the Calgary Hydraulic Company.

An Act respecting the Ladies of the Sacred Heart of Jesus.

An Act to incorporate the Calgary Irrigation Company.

An Act to incorporate the Alberta Irrigation Company.

An Act respecting Government Civil Service Insurance.

An Act respecting Witnesses and Evidence.

An Act further to amend the General Inspection Act.

An Act further to amend the Dominion Lands Act.

An Act further to amend the Railway Act.

An Act to amend the Criminal Code, 1892.

An Act relating to the custody of juvenile offenders in the province of New Brunswick.

An Act to authorize the granting of Subsidies in aid of the construction of the lines of Railway therein mentioned.

An Act respecting the appointment of Commissioners to the World's Columbian Exposition.

An Act to amend the Act respecting the Royal Military College.

An Act further to amend the Petroleum Inspection Act.

An Act to amend the Act respecting Ocean Steam-ship Subsidies.

An Act respecting the Drummond County Railway Company.

An Act further to amend the Acts respecting the Duties of Customs.

An Act further to amend the Act respecting the Senate and House of Commons.

An Act relating to the granting of subsidies in land to Railway Companies.

An Act to amend the Revised Statutes respecting the Department of Public Printing and Stationery.

An Act to amend the Homestead Exemption Act.

An Act to prevent the manufacture and sale of filled or imitation cheese, and to provide for the branding of dairy products.

An Act respecting the Harbour Commissioners of Montreal.

An Act to amend the Merchant Shipping Act, with respect to load-lines.

Then the Honourable the Speaker of the House of Commons addressed His Excellency the Governor-General as follows:—

"MAY IT PLEASE YOUR EXCELLENCY:

"The Commons of Canada have voted certain Supplies required to enable the Government to defray the expenses of the Public Service.

"In the name of the Commons, I present to Your Excellency the following Bill:—

'An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial years ending respectively the 30th June, 1893, and the 30th June, 1894, and for other purposes relating to the Public Service;'

to which Bill I humbly request Your Excellency's assent."

To this Bill the Royal assent was signified in the following words:—

"In Her Majesty's name, His Excellency the Governor-General thanks Her Loyal Subjects, accepts their benevolence, and assents to this Bill."

After which His Excellency the Governor General was pleased to close the THIRD SESSION of the SEVENTH PARLIAMENT of the DOMINION with the following Speech:

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

In relieving you from attendance in Parliament for this year, I congratulate you upon the energy and promptitude with which you have disposed of the duties of the session just ended.

The assembly at Paris of the Behring Sea Arbitration Tribunal give reason to hope that the differences which have existed between the Government of the United States and the Government of the Dominion are approaching a satisfactory adjustment, while the nomination of the Prime Minister of Canada as one of the arbitrators affords a guarantee that the interests of our sealers will be properly though not unduly safeguarded.

The treaty of commerce which was negotiated with France on behalf of Canada has been laid before you together with the correspondence which passed during the negotiations; but owing to the late period of the session at which the treaty was received, and the pendency of communications as to its bearing in respect of most-favoured-nation treatment and the interpretation of certain of its clauses, my Government has thought it advisable to postpone for the present its ratification by Parliament.

I thank you for the ample provisions you have made to protect the country from the possible introduction of cholera, and I trust that the precautions taken will result in guarding against any danger from that source.

The liberal provisions made for the proper representation of Canada at the World's Columbian Exposition will, I doubt not, enable this country to make a worthy exhibit of her resources and progress among the nations of the World.

The various Acts which you have placed upon the Statute-book will contribute to the maintenance of public security and the continued progress of the Country.

Gentlemen of the House of Commons:

I thank you for the liberal provisions you have made for the requirements of the public service.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I feel with deep regret that the period of my official connection with the Dominion is drawing towards its close and that in all probability I am taking leave of you for the last time. Lest this should be the case, I desire to avail myself of the present occasion to express my abiding interest in all that concerns the welfare of Canada, and my sincere affection to her people, who have never failed to testify their loyalty to the person and throne of our Sovereign, and to show kindness and consideration to her representative. It will ever be my sincere desire to be of service to the Dominion and I shall continue to cherish feelings of the warmest solicitude for the welfare and prosperity of those amongst whom I have been placed during the past five years.

I pray that the blessing of Almighty God may at all times attend you.

THE SPEAKER of the Senate then said :

Honourable Gentlemen of the Senate, and Gentlemen of the House of Commons :

It is HIS EXCELLENCY THE GOVERNOR-GENERAL'S will and pleasure, that this Parliament be prorogued until Thursday, the eleventh day of May next, to be here held, and this Parliament is accordingly prorogued until the eleventh day of May next.

service, providing the time occupied in making each trip should not exceed twenty-one days—that is about four days less than is now occupied in making the trip from Australia to San Francisco. They intimated that it was impossible in the beginning of a service of this kind to accept less than £25,000. The Government, believing that this country is desirous of having a direct line between British Columbia and Australia with boats nearly if not quite equal to the Empress Line between Vancouver and Japan, came to the conclusion that if we could secure the services of this responsible and wealthy company for even a monthly line for twelve months, as an experiment, we would be justified in asking Parliament to change the Bill so as to allow us to give them the full subsidy of £25,000 sterling for the year's service. The proposition is simply this —that for one year the boats will be put upon the route, commencing in April next, and if it is found that there is a probability of the line paying, arrangements will be entered into with the company for three years at least. The House will, I think, appreciate the course which the company in self-defence is pursuing, and also the course which the Government proposes to pursue. If it is found that the route will not pay, even with the subsidy as large as that, it will be in the interests of the Dominion that we should cease paying the subsidy. On the other hand, if the company cannot make it pay with a subsidy of £25,000 per annum, it would be wrong to compel them to continue it for any number of years. These are the reasons which induced the Government to ask Parliament to consent to the amendment of the Act in order that we can make the trial of direct communication between Australia and Canada, and with a line of steamers that will make the trip in three or four days less time than that which runs between the Antipodes and San Francisco. With our facilities for carrying freight and passengers by the Canadian Pacific Railway, Canada will stand a fair chance to secure at least a large proportion of the trade between this continent and Australia. I may also add that the Canadian Pacific Railway Company have agreed to enter into arrangements with the steam-ship company to place at their disposal all the agents that they have in Australia and in Canada in order to procure freight both ways, and they pledge themselves to grant the minimum rate of freight charged to United States lines by the Central, the Southern and the Northern Pacific Railways, so that the probabilities are, in case this line is put upon the route, as there is no doubt it will be if this Bill passes, that we shall have in a very short time a large portion of the Australian trade, and I am also in hopes that it will open up a market for the surplus products of this country which have not now a market.

Hon. Mr. ALLAN—You mean the coming April?

Hon. Mr. BOWELL—Yes, next month.

Hon. Mr. POWER—The original Act was a bad one, but the present Bill is worse. That is my humble opinion about it. This is a very fair specimen of the kind of legislation of which we have had a good deal in Canada of late years. There is no doubt the people of Canada are asked to pay a very large tax, and this is done with the object of securing an advantage which, as a general thing, never materializes. Now, Canada has sent agents to Australia on more occasions than one, for the purpose of making inquiry there as to the reasonable probability of securing trade; and I think that the general feeling amongst business men is that, up to the present time at any rate, we have not been given any reason to suppose that there is likely to be any valuable trade between Australia and Canada. Now the Government come down and ask us to pay $100,000 a year on the chance that we may develop a little trade there. It is a proposition which should not receive the approval of Parliament, but it is a proposition which will receive that approval, and I do not suppose there is any particular object in talking about it except expressing ones dissent.

Hon. Mr. BOWELL—I hope the hon. gentleman will not object to the suspension of the rules.

Hon. Mr. POWER—No, I am not objecting: it will go through anyway.

Hon. Mr. BOWELL—I think the reason that no trade has ever been developed between Canada and Australia is because we have had no direct steam communication. A very large trade, the House knows, has developed between Japan and Canada, so large that it has excited the jealousy and envy of the United States railways, and they have almost threatened to annihilate the Canadian Pacific Railway. I am in hopes that if we get this direct line, as I think we shall, the trade will develop as largely with Australia as it has with Japan.

The Bill passed through its final stages under a suspension of the rules.

DRUMMOND COUNTY RAILWAY COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (71) "An Act respecting the Drummond County Railway" without amendment.

Hon. Mr. McMILLAN moved the third reading of the Bill.

Hon. Mr. BELLEROSE—This Bill comes before us under such peculiar circumstances that I feel bound to do anything which I can to show the House that it ought not to pass. I rise to a question of order as to the report of that Committee. If I read the rule correctly, it provides that in the case of a Bill from the House of Commons, notice must be given at least twenty-four hours before the Committee meets. Now, twenty-four hours means a day, and it has been customary for the past twenty-five years to give notice of Monday for Wednesday; that is one clear day. What is the object of that? You must go into the object of the rules to get at the meaning of them. Rule 61 says that if the Bill originates in the Senate, one week's notice must be given. Why? So as to give the parties who are interested time to reach the seat of Government and oppose or support the Bill. The rule adds that in case a Bill has gone through the other House it shall not be necessary to give a week's notice, because the parties are advised and informed, and are in a position to reach the seat of Government if they desire to do so. That is the evident object of the rule. Now, has that object been accomplished in this case? The Bill was read last night about 9.30.

Hon. Mr. McMILLAN—It was read before nine o'clock.

Hon. Mr. BELLEROSE—Then say 8.30. All the mails had gone except the North west mails. How could you inform those parties that the Bill would come up to-night at 9.00 or 9.30? Surely you could not. Then has the object of this rule been complied with? Not at all. That shows that the object of the rule was to give ample notice to interested parties to appear before the Committee. Otherwise why could not the Committee have sat last night immediately after we adjourned, and passed the Bill? The parties could not reach Ottawa in time. I have explained the object of the rule, and I say that the practice of the House is in favour of that interpretation. The Committee has never been summoned except after one clear day's notice. I am sure there is not a gentleman in this House who can cite a case where such a thing as is now attempted has been done. It is an innovation, and under what circumstances? I shall have occasion to speak of the circumstances probably by and by. If I were to do so now I would be called to order, and I confine my remarks to the question of order. If we look to the authorities, what do we find? In such cases in England, a clear day's notice is required. This again shows the intention of our rule. Then if this is so, why should we sanction an innovation and act upon an interpretation which evidently is not in accord with the intention of the rule? I object to the report of the Committee as being quite against the rules of this House.

Hon. Mr. POWER—The hon. gentleman from DeLanaudière, as a rule, has very clear views upon questions of order. I have heard him many times with a great deal of pleasure, but I do not think I have ever listened to him with more surprise than on the present occasion. Last evening when this Bill was being considered, it was contended that the twenty-four hours meant a day. It was used as an argument by the opponents of the Bill. I do not just know whether the hon. gentleman spoke upon that question, but others who agreed with him in opposing the Bill contended that twenty-four hours meant twenty-four hours, and His Honour the Speaker took that ground. Although I had argued as well as I could in the other direction, I had to admit, as I have freely admitted since, and I think all the friends of the Bill have admitted it, that the decision of His Honour the Speaker was right, and that when the rule said twenty-four hours, it meant that, and not thirty-six hours or forty-eight hours or anything else. The notices were duly posted before half-past nine last evening, and the Committee met at half-past nine this evening, as it had a perfect right to do, and devoted about forty minutes to the consideration of this Bill. The report comes before us, and if there is anything objectionable in the Bill, it is quite in order for any hon. gentleman to move an amendment, but I am surprised that the hon. gentleman should undertake to raise such a question of order as that. I have never heard a more frivolous point of order.

Hon. Mr. BELLEROSE—The hon. gentleman says he is surprised to hear me raise this objection. When the point was discussed yesterday I was not here, but if I had heard of it, I would only have come to the conclusion that the case had not been well discussed, since my views were just as I have stated them now. It would not prevent me from taking this objection to-day, even if I had known it; but I did not know it. However, if the question has been decided by the Speaker, I have nothing more to say. Had I known it I would not have raised the objection now.

Hon. Mr. DE BOUCHERVILLE—The Bill has reached this stage without amendment, but not without opposition. I think, as others have thought, that there is a clause in this Bill which is very dangerous. It is the third clause, which reads thus:—

> "The company is hereby declared to have all the franchises, rights, privileges and authorities conferred upon it by the said Act of the Legislature of the province of Quebec."

I need not go any further; that is the only thing I want to draw attention to. Amongst the privileges granted by the Legislature of Quebec to this very road was that of issuing debentures, I think, to the amount of $20,000; it may be $25,000, but it was not less than $20,000. I call attention to the fact that this privilege is confirmed by the Bill which we are passing; it cannot be taken away. Although there might be other laws, there is nothing in the Railway Act of the Dominion that limits the quantity of debentures that may be issued. It is true that generally we have allowed those railroads to issue debentures to the amount of $25,000, but we leave to this company the right to issue debentures under its Quebec charter, and in addition give it power to issue other debentures to the extent of $25,000 a mile of the railway and branches. Therefore we have a company authorized to issue debentures to the extent of $45,000 per mile.

Hon. Mr. DICKEY—Oh, no.

Hon. Mr. DE BOUCHERVILLE—I suppose the hon. gentleman means it is not his opinion; still it is well known that in another Bill passed during this session where several companies were merged into one to be called the Atlantic and Lake Superior Railway Company, Parliament put in this 9th clause which provides in effect that the Dominion Parliament gives the Company the right to issue debentures, but it must give up all other rights of issuing under other legislation. Since both Houses of Parliament have thought the precaution necessary in that case, and since, in the opinion of many, this Company will have in reality power to issue $45,000 or $50,000 a mile, there ought to be no opposition—although I expect some—to the following amendment. I move that the Bill be not now read the third time, but that it be referred to a Committee of the Whole House with instruction to insert after the word "extent" in line 2 of clause 7, "$25,000 in all including all issues under any powers conferred by the said Act of the province of Quebec." I hope, since we have already thought it necessary to take this precaution in the Act to which I have referred, there will be no hesitation to accept this, which, after all, will only assure the Company that we are not giving them the right to issue two sets of debentures.

Hon. Mr. POWER—I just wish to make two observations: one, that this Bill was carefully considered by the Committee of the House of Commons, counsel being heard on both sides, and that that committee, in which they are, as a rule, very careful as to the financial aspects of every measure, passed the Bill in its present form. I think the construction put upon the language of the Bill by the hon. gentleman is incorrect and unsound. The case of the North Atlantic Company is a totally different one from this. Various roads were being consolidated, and it was more convenient for practical purposes, for the purposes of the company itself, that there should be one line of debentures or mortgages rather than several of different kinds and denominations. It is not so in this case: there is only one company and one line. And the important point is this, hon. gentlemen, with respect to this measure, that the opposition to this Bill has been conducted in an unusual way. The hon. gentlemen who opposed the Bill made use of the Rules of the House, as they have a perfect right to do to the utmost extent, to prevent this Bill being considered by the committee upon its merits. If this Bill had been allowed to go to the committee at the time when it should have gone and would have gone if the technical Rules of the House had not been enforced against it, these objections and questions might have been considered by the Committee, and if the Committee had thought there was any doubt they might have made the amendment; but after all the delay which has been caused and which hindered the Committee from considering the Bill as carefully as it might perhaps have considered it; an amendment is now proposed which, if carried, will kill the Bill. There is only one more sitting day of Parliament. If this Bill goes down to the House of Commons with this amendment at the meeting on Saturday forenoon—I am not sure whether they have two meetings in the other House—but whether there are or not, the single objection of a member in the House of Commons can hinder the Bill becoming law. After a Bill has been fought through both Houses, as this has been, the fairer way is to deal with it on its merits. The people who invest in the bonds of the company will scrutinize the company's charters—this Act and the other Act—carefully enough to see that they are not taking any risk.

Hon. Mr. DICKEY—I wish to say a word on behalf of the committee who reported the Bill. Clause 3, to which my hon. friend adverted, reserved all the rights and privileges under the Quebec Act. Why? Because under it a large portion of this work has already been constructed, obligations have been incurred, and when they came to this House for legislation they put a clause in the Bill preserving all their rights and making all those securities available. Clause 7 provides that no greater issue of bonds for the prosecution of this work than $25,000 a mile shall be issued. My hon. friend says that the original Quebec Act fixed the limit at $20,000 a mile; well, this enlarges the power. In view of the extension of this line it should be enlarged to $25,000 a mile and no more; and therefore we had no hesitation in saying—and that was my opinion—that the issue of bonds was confined to $25,000 a mile; because this company asked to be placed under the provisions of the General Railway Act by being declared a work for the general advantage of Canada, and when they ask that privilege they must take the consequences. Under the general provisions of the Railway Act and under the special provisions in clause 97, there can be no doubt whatever that their power to issue bonds is confined to the sum of $25,000 a mile; and it was upon that view—which I have no hesitation in saying was the correct view—that we passed the Bill.

Hon. Mr. BELLEROSE—I cannot agree with the argument of the hon. member from Halifax, and the hon. member from Amherst. The Quebec Act gives the company power to issue bonds to the amount of $20,000 or $25,000 a mile. The hon. gentleman says that a part of the road has been constructed; that is true; but this has no effect upon what has been done. It does not prevent this Bill from giving, for the fifty or sixty or ninety miles to be built in the future, the right to issue bonds for $20,000 under the Quebec Act, and $25,000 under the present Bill.

Hon. Mr. DICKEY—Oh, no.

Hon. Mr. BELLEROSE—I beg the hon. gentleman's pardon. The objection of the Committee was that the General Act would make that all right. Very well, what did I ask. Will you tell me whether in the General Act the amount is limited? No; I say it is not limited. If the Act gives them all the franchises, powers, privileges and authorities which the company has under the Quebec Act, I say those rights and privileges remain theirs. If you add new powers, giving them rights to issue bonds for $25,000, then it will be $45,000 on the new portion of the road. It will not affect the forty-five miles which is built from Drummondville to St. Hyacinthe.

Hon. GENTLEMEN—No, no.

Hon. Mr. BELLEROSE—Hon. gentlemen may say "No, no," but the Act is there and speaks for itself. Now, if we are wrong about that, why is there this opposition to the amendment which merely declares that they shall not have power to issue bonds for more than $25,000? Why not grant it, if you are sure the Bill is sufficient? It very often happens that in legislation more is included in the Bill than is wanted, and why? In order to be quite sure. Then why not make it sure to-day? I suppose it is because of the indebtedness of that company to some banks which have loaned too much; the bank is to be paid out of the $45,000. The House is asked to say that our legislation in the past is unjust, because I recollect well that when a Bill was presented asking for power to issue bonds to the extent of over $25,000 a mile, the request was refused, and we amended those Bills; now we are asked to favour this company and grant them special privileges. I say all this in order that it may appear in our *Debates*, so that the public at large may see what we are doing. We should always pursue such a course that we need not be ashamed of what we do or leave ourselves open to a charge of inconsistency. What reasonable objection can there be to the amendment? We merely propose to add two or three words to say that the $25,000 which is mentioned here will be for all purposes—that it will set aside the power under the Quebec Act to issue $20,000 per mile. If that is already provided what harm can result from making it sure? We wish to give this company no more power than we give to others; that is all we ask, and I hope the Senate will accept the amendment. There is another argument which will appeal to men of independent minds; it is stated—and it is easily proved, because it is a public matter—that this Act of incorporation was presented to the Quebec Legislature a few years ago. The company was incorporated under a local Act for the construction of a road between two points in the province of Quebec. Not having succeeded in Quebec they come here for legislation, claiming that the road is for the benefit of Canada, in order to make it a Federal Act. Now, this alone ought to put the House on its guard.

Hon. Mr. POWER—The road connects with the Intercolonial Railway. That makes it a road for the general benefit of Canada.

Hon. Mr. BELLEROSE—The hon. gentleman says it goes as far as the Intercolonial Railway. Will he tell me that a local line connecting with a federal road is thereby removed from local legislation? I am sure, as a lawyer, he will not say that. If not, why does he interrupt me to say such things? Are we prepared in this House to say that we will impose upon the province of Quebec the building of a road under such circumstances as I have just stated? For my part, if this was an Ontario or a Nova Scotia case, I should decline to support it, because the Local Legislature having refused legislation, there must be some good reasons why it should not be granted, as we are not aware what reasons there were for refusing legislation at Quebec, we should not sanction it. Then there has been plenty of work done for some days past; a great many parties from outside have been here canvassing members in this House as in the other House. To-night at the meeting of the Committee, it was, I will not say a farce, but we could scarcely hear one another. Why was there so much talking? Why were these outsiders there?

Hon. Mr. BOWELL—I call the hon. gentleman to order: it is a well-known rule in all Parliaments that no member has a right to refer to the proceedings of a committee in the House.

Hon. Mr. BELLEROSE—I know I am out of order: but I believe I have given sufficient reasons to show to the majority of this House that this Bill ought not to pass in its present shape. I hope the Senate will grant the amendment, in order to make it sure that the company cannot issue more than $25,000 of debentures per mile.

Hon. Mr. MacINNES (Burlington)—There is nothing in the Bill itself that anybody could possibly object to. The only objections raised to the Bill are as to the bonding powers. It is contended, on the one hand, that under this Bill bonds to the extent of $45,000 a mile can be issued—$20,000 under the Quebec Act and $25,000 under this Bill. The promoters themselves have assured the Committee that they have no intention to issue more than $25,000 per mile—that none of the bonds have yet been issued. The chairman of the Committee, who is a man of very great experience, besides an eminent lawyer, has given us a very clear opinion on the subject. I must admit that I had a good deal of difficulty in making up my mind as to the vote I should give upon this measure, but after the discussion that has taken place, and looking at the Bill itself, I do not see any reason why I should vote against it.

Hon. Mr. ALLAN—I would ask the House to excuse me from voting in this case, and for this reason. I do not desire to put my opinion in opposition to that of a gentleman of so much legal experience as the hon. member from Amherst, whose opinions upon all occasions we look up to with very great respect. Distrusting my own judgment in the matter I do not care under those circumstances to vote in any way that would have the effect of throwing out the Bill, because that would be virtually the effect of carrying this amendment. At the same time, using my best judgment, and looking at clauses 7 and 3 I cannot bring my mind to the conclusion that clause 7 so far overrides clause 3 that the company will be precluded from issuing both the bonds under the Quebec Act and the bonds under the Bill now before us. All the powers and privileges that they possess under the Quebec Act are preserved to them by this Bill and there is nothing whatever said, so far as I can see, in clause No. 7 to limit the powers given them in clause No. 3 in any way whatever. The counsel who attended the meeting of the Committee on behalf of the promoters of the Bill, did state that no bonds whatever had been issued, but I did not understand, as the hon. member from Burlington says he understood them to say, that they never intended to issue them. So far as I can form any judgment in the matter, if this Bill passes the company will have power to issue bonds to the extent of $45,000 a mile if they please.

Hon. Mr. SMITH—What hardship would it bring upon the province of Quebec supposing they did issue bonds to that amount? Nobody would be fool enough to take those bonds.

Hon. Mr. READ (Quinté)—I see that we passed a Bill with a similar clause this session, the Act relating to the Chilliwhack Railway Company. That company was incorporated by the Legislature of the province of British Columbia, and in our legislation we gave that company the same power that is given in this Bill. If we do authorize the company to issue bonds to the extent of $45,000 a mile, as it is stated this Bill will do, it will be nothing more than we have done in the case of the other company.

Hon. Mr. ALLAN—We all know that constructing a railway through that sea of mountains costs a great deal more than building a railway through this eastern country.

Hon. Mr. DICKEY—It is scarcely fit that our time should be occupied by a question which cannot be put, because this is a motion in amendment to the Bill, of which no notice whatever has been given, and therefore it cannot be entertained.

Hon. Mr. BELLEROSE—You cannot pass the Bill to-day then. Let the third reading stand until Saturday, and we will give notice of the amendment. At the third reading every member has a right to move an amendment.

Hon. Mr. POWER—On the question of order I think the hon. gentleman from DeLanaudière is wrong, but I must ask the hon. gentleman from Amherst to be kind enough to withdraw that technical objection. It is only right that the opinion of the House should be taken on the amendment.

Hon. Mr. DICKEY—Very well, I withdraw it.

Hon. Mr. POWER—Although technically the amendment may not be in order, still there has been no opportunity to give notice and I think it would not be treating the opposition to the Bill fairly to press the point of order. The correct thing is to let the amendment be put.

Hon. Mr. DE BOUCHERVILLE—I wish to speak on the point of order.

Hon. Mr. POWER—There is no question of order before the House. The hon. member from Amherst raised a point of order and then withdrew his objection.

Hon. Mr. DE BOUCHERVILLE—The hon. gentleman says that at the third reading of a Bill notice must be given of any important amendment. The hon. gentlemen who support this Bill all admit that this question is not an important one, because in their opinion the same thing is in the Bill that is in my motion. How, therefore, can this be an important amendment and what necessity is there to give notice? It is a very common thing in this House to move at the third reading that the Bill be sent back to the Committee. If it were necessary to give notice twenty-four hours in advance, how could that be done? It stands to reason that there cannot be a notice of motion in this case. The hon. gentleman from Halifax says that if there had been more time the Committee might have considered our objection, but that there was so little time that the Bill might be lost and we cannot put the amendment to the Bill. The question is this—should we allow a doubt to exist? Certainly no one will say that there is not a doubt when half the House is of one opinion and the other half of another opinion. I want to have the doubt removed and that is why I wish to have a vote on my amendment.

The House divided on the amendment, which was rejected by the following vote:—

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The Hon. Messrs.

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Armand,
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McMillan,
Macfarlane,
MacInnes (Burlington),
O'Donohoe,
Power,
Primrose,
Read (Quinte),
Smith,
Snowball—18.

The Bill was then read the third time, on a division.

On the question—Shall this Bill pass?

Hon. Mr. GUÉVREMONT (in French)—Contrary to custom, I wish to propose an amendment to the Bill at this stage. Hon. gentlemen may think it extraordinary, but I wish to put this amendment on record. On a question of such importance to my constituents as this, I feel that I must deviate from the regular course followed in this House. I believe it to be my duty to explain my reasons for taking this unusual course, and also to explain how this Bill injuriously affects my constituents. The Great Eastern Company obtained a charter to construct a railway through the counties of Verchères, Boucherville, Richelieu, Yamaska, Nicolet and Lotbinière. This charter was obtained several years ago, but the road has not been completed yet. The company have met with difficulties, and these difficulties will be increased by the passage of this Bill. If we pass this measure it will be the means of delaying, if not altogether preventing the construction of that road on the south shore of the St. Lawrence. The Grand Trunk Railway was commenced in 1850-51. In 1856 that company found itself in such a position that it could not continue its work, and if the Government of the two Canadas had not come to its aid, the undertaking would have been dropped. In 1856 the Parliament of Canada voted aid to assist the company to complete their line between Rivière du Loup and Sarnia. That measure was carried by a majority of one. The representative of the counties of Drummond and Arthabaska, Mr. J. B. Dorion, voted against that measure. The result of the completion of that road was that it opened up the forests of Canada for settlement. If the country is settled and prosperous to-day, it is due to the building of that railway. The Government in that instance put the Grand Trunk Railway Company in a position to complete its road. The member who represented the five counties to which I have referred voted for that measure. To this day those five counties are without railway facilities, and they depend upon the construction of this Great Eastern line to provide them with railway communication. Now, when the Great Eastern Railway Company is making an effort to construct that line, a measure is brought before this House to authorize the building of a competing line a short distance south of the St. Lawrence, which, as I understand, will have the effect of preventing the Great Eastern from continuing its work. That is the reason why I have taken every means in my power to prevent the passage of this Bill, and I only regret that my efforts have been unsuccessful. I have acted in the interests of my constituents and in the interests of the Eastern Townships generally. The people of that section will feel deeply the absence of any sentiment of gratitude in this House for their generous support to the Grand Trunk Railway measure in 1856. I therefore move that the Bill be not now read the third time, but that the 4th clause thereof be struck out.

The motion was declared lost on a division.

The Bill then passed.

The Senate adjourned at 12.15 a.m.

THE SENATE.

Ottawa, Saturday, April 1st, 1893.

THE SPEAKER took the Chair at 11 a.m.

Prayers and routine proceedings.

THE SESSIONAL MESSENGERS' PAY.

MOTION.

Hon. Mr. BOWELL—I find that since the Senate, upon my motion, struck out of the report of the Committee on Contingent Accounts the paragraph relating to the payment of the sessional messengers, the House of Commons have granted what might be termed a gratuity to their messengers and servants of 15 days' additional pay. Under the circumstances, with the consent of the House, I propose to move a reconsideration of the motion that was carried here, striking out that paragraph from the report of the Contingent Accounts Committee and substituting therefor words which will give to the messengers of the Senate 15 days' additional pay—the same amount that has been awarded to the messengers of the House of Commons. I move that the resolution adopted by the Senate on Tuesday, the 28th day of March inst., whereby the sixth paragraph of the report of the Committee on Contingent Accounts of the Senate was stricken out, be now reconsidered.

The motion was agreed to.

Hon. Mr. BOWELL moved that the sixth paragraph of the said report be amended by striking out $250 and substituting therefor the words "$2.50 per day for the session, and in addition thereto payment at the same rate for 15 days additional."

Hon. Mr. POWER—I am very glad that the leader of the Government has, to a certain extent, reconsidered his somewhat hasty action of the other day. My contention is, however, that it would have been wiser to have adopted the report of the Committee as it stood originally. That provided that each sessional messenger should be paid $250 for the session in accordance with the uniform practice of the House. The public would have known nothing about the matter. Now we are reaching about the same end, but the course that we are pursuing advertises to the public that we are paying these men for time during which they are not occupied here. The motion is a good one, but the way in which the thing is done is objectionable. It would have been better to have acted on the recommendation of the Committee on Contingent Accounts.

Hon. Mr. BOWELL—I quite accord with the views expressed by the hon. member from Halifax. I would be personally opposed to the principle of paying any sum to any person for work not performed, but I could not conceive it just or equitable to the messengers of this House, if that rule were departed from in the House of Commons, that our messengers should not receive as much as the employees of the other branch of Parliament. That is why I have made this motion to-day. I am not prepared to admit, however, that my action on the 28th March was even hasty or had not been fully considered.

The motion was agreed to.

DUTIES OF CUSTOMS ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. BOWELL moved the third reading of Bill (126) "An Act further to amend the Act respecting the duties of Customs."

Hon. Mr. POWER—This Bill was allowed to stand over at my suggestion. I am thankful to the House for the courtesy extended to me. Probably this is not just the best time to go into a discussion of the tariff. I have no doubt if I were to make a speech of half an hour or so, and the hon. leader of the Government, or some other gentleman on that side, were to reply, that the hon. gentleman for Ottawa would speak for another hour or so. It would be very instructive, but it might interfere with the progress of the regular business.

Hon. Mr. BOWELL—Suppose we pair off.

Hon. Mr. POWER—There is a legal maxim which says the law does not pay any regard to trifles. The amendments which this Bill proposes to make in the existing tariff are mere trifles, and therefore I think it is wiser not to consider them. I may make one or two observations on the changes which are proposed by this Bill. One is to reduce the duty on binder twine from 25 to 12½ per cent. I hope it may afford a certain measure of relief to the farmers of the West who use binder twine in large quantities, but I hardly think that it will, for this reason—pretty nearly the whole business of manufacturing cordage and rope of all kinds on this continent is in the hands of a single combination. The National Cordage Company of the United States controls nearly the whole output of that country, and the Consumers Cordage Company of Canada controls the whole output of Canada except what may be made in the Central Prison at Toronto and what may be made hereafter in the prison at Kingston under the arrangements made by the Government, and the consequence is that the reduction in duty cannot materially affect the price of binder twine, because the cordage which would compete with that of the Consumers Cordage Company is the cordage manufactured by the National Cordage Company in the United States and they are one and the same concern practically. There is, therefore, no substantial competition. If the duty were removed altogether it might be worth the while of the manufacturers of the old country to make arrangements to send binder twine to Canada. Under the present circumstances, I do not think it will be, and the probabilities are that this reduction in the duty on binder twine will have a very immaterial effect. Then, as to the duty on coal oil, I do not understand that the duty has been reduced, but the regulations which go along with the tariff have imposed an almost prohibitory duty on coal oil, and these regulations have been to a certain extent modified. That will probably help to reduce the price of that very necessary article. Meanwhile the Government have the whole subject of the tariff under consideration. I suppose we may be thankful this year for very small mercies, and we may hope that by next year the eyes of the Government will be properly opened and that they will give us a material reduction in the tariff.

Hon. Mr. DEVER—If the reduction of 12½ per cent duty on binding twine does not make any difference, the entire removal of the duty would not make a difference. I think this Bill reduces the tax to a very low point, and brings fairly into competition the binding twine of other countries. Everybody must be satisfied that the duty now is merely nominal. Before New Brunswick came into the Union we used to pride ourselves that our duty was only from 12½ to 15 per cent. We thought we were doing very well, and I think still that we were doing well. I should be glad to see our tariff reduced to a uniform 12½ or 15 per cent, and I do not think that there would be any difficulty in accomplishing it and earning the gratitude of the country. This Bill is a great step in advance in the matter of binding twine, because it is certainly acceding to the wishes of the farming community, whom we are most anxious to consider. If there is any class of people that feels the effect of the high duty, it certainly is the farming interest. Therefore, when we make concessions to the farming community, it should be, and I believe it will be, satisfactory to the whole people of Canada.

Hon. Mr. BOWELL—I have no complaint whatever to make of the comments made by the hon. gentleman from Halifax, but I think if he had carried his logic a little further he would have come to the some conclusion as my hon. friend from St. John. If the reduction from 25 per cent to 12½ per cent is to be of no benefit because the market is controlled by the American combine, that combine would exist to just as great an extent if the market were free, and consequently if they control the market now with the duty lowered to 12½ per cent, they would control it if we had no duty at all. If they charge an exorbitant price now, they would continue to charge an exorbitant price then, were it not for the advantage given to the manufacturers in Germany and England to compete with them under a duty of 12½ instead of 25 per cent. In reference to coal oil, we import into this country some 10,000,000 gallons per annum for consumption, and the reduction of from 3 to 4 cents per gallon is no small decrease. That is brought about by the facilities which are offered to the importers of that oil by the removal of the restrictions which existed formerly in reference to the tank importations and the reduction from 30 to 10 cents in the inspection fees.

Hon. Mr. DEVER—Not only that, but it gives an opportunity to our mechanics to manufacture barrels, which were formerly manufactured in the United States. The hon. gentleman will see that it means a considerable profit to the country.

Hon. Mr. POWER—I congratulate the Government on the fact that the hon. gentleman from St. John, who was manifesting symptoms of independence during the session, has got back to his right place at the close of it. I did not say that the reduction from 25 per cent to 12½ per cent would be no benefit; I said it would have a very trifling effect, and I gave as a reason that that reduction would not be sufficient to induce the manufacturers in England to go into that line of business and to come over here and compete with the United States manufacturers. If there was no combine between Canada and the United States, the reduction of the duty would be very considerable and important.

Hon. Mr. DEVER—I would remind the hon. gentleman from Halifax that I am always in opposition to the Government when their measures are not good. When their measures are good, I would be acting very improperly to oppose them.

The motion was agreed to, and the Bill was read the third time and passed.

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. BOWELL moved the second reading of Bill (132) "An Act further to amend the Act respecting the Senate and House of Commons." He said:—This Bill is in the line of the resolution we have just passed in reference to the messengers. It is to allow each member of Parliament to be paid his full sessional indemnity, unless he has been absent more than six days during the session from his attendance in the House. You remember at the last session of Parliament the time allowed was twelve days. That was on account of the great length of the session by which members were kept from their ordinary business a much longer time than in ordinary sessions of Parliament. This Bill is to allow six days, which is supposed to be a time proportionate to that allowed last session. While moving this I express the hope that in future the House of Commons will not adopt this system, but as the Bill has been passed by the House of Commons at the solicitation of the members of that House, I see no reason why the members of the Senate should not be treated in the same way.

Hon. Mr. ALLAN—Last session was an extraordinary one, and I think that the Government were justified in allowing a certain number of days, because in a session extending four or five months, members would necessarily require to be absent sometimes. My own objection to the Bill is that it looks like adding six days to the sessional indemnity.

Hon. Mr. POWER—I objected to the rule being suspended in favour of this Bill at its first reading, and I do not regret that I did so. I was pleased to notice that the hon. leader of the Government did not feel himself in a position to say anything in favour of this Bill. It is one calculated to bring discredit upon and lower the dignity of this Parliament in the eyes of so much of the civilized world as becomes aware of this action. Last session was a very long one. It extended over the business part of the year, and (as I think even last year very improperly) the Government introduced a measure at the close of the session allowing each member to get the indemnity for twelve days as having been spent in the service of the country which these gentlemen had spent in attending to their own business. It comes to this, that a member of either House has his choice. He is paid a certain sum to cover his expenses while here at the seat of Government. If he thinks that his own private business is of more consequence than the business of the country, and he goes home and he attends to his own private business, he has no right to expect to be paid from the public Treasury as though he had been serving the country. There was some little excuse last year, as I have said, but this year we have had an exceptionally short session—lasting only two months—the shortest session since 1876, and members are paid $1,000 for the session—that is at the rate of $6,000 a year. There may be a few members of either House whose time and services are worth more than $6,000 a year, but I do not think that any one will undertake to contend that the services of a majority of the members are worth more than that. The rate of $6,000 a year is very handsome payment indeed. The members should have been satisfied with it, and should not have introduced such a measure as this. I was sorry that the leader of the Government did not speak in a more decided tone when he came to express the hope that this would not form a precedent. As I said before, I think it is highly objectionable and discreditable legislation. It just means this, that the House of Commons have the public Treasury under their control, and at the close of the shortest session for 18 years they help themselves from the Treasury to the extent of about $8,000. They are supposed to be the guardians of the Treasury and yet, while acting as guardians, they are taking the public funds for the benefit of members of Parliament, to the extent of about $8,000.

The motion was agreed to, and the Bill was read the second time at length at the Table.

Hon. Mr. BOWELL moved the third reading of the Bill.

Hon. Mr. McINNES (B.C.)—Divide!

Hon. Mr. SCOTT—I regret very much the innovation which has been under discussion, but I think we would be taking a very high-handed part if we were to throw out this Bill. I have no personal interest in it, but I should be very sorry to interfere with the opinions and views of gentlemen whose position and circumstances I do not choose at the present moment to inquire about. I think it is a great mistake to discuss this Bill, and it would be a still greater mistake to divide the House upon it. If there is to be a division I ask to be excused from voting.

Hon. Mr. McINNES (B.C.)—The reason why I ask for the yeas and nays is this—a few days ago, a recommendation was made by the Contingent Accounts Committee of this House to give our sessional messengers the full sessional allowance. This was objected to by the Government. It was one of the smallest and most penurious things that I knew any Government to be guilty of. I venture to say that if the late Sir John Macdonald had been in his place in the other House, or the late Mr. Mackenzie, he would have shrunk from doing an injustice to those poor helpless sessional messengers. I understand the Internal Economy Committee of the other House have graciously agreed to allow them fifteen out of the thirty-five days that they were short of the 100, thereby diminishing the reduction to $40 or $50 each. It is a small thing to make any reduction in the pay of those men, and I am astonished that any Government or committee would be guilty of it. A Bill is now presented to this House asking that members of both Houses of Parliament should be granted $48 each—for what? Is it for attending to their duties in Parliament? No, it is simply to pay them for looking after their own private business at home, or, I will not say gallivanting about the country, but going about the country interfering in elections. Last year it was very objectionable to grant additional indemnity—this year I consider it still more objectionable, for the reasons which have been given by the hon. gentleman from Halifax. This is one of the shortest sessions since Confederation, and we would be doing wrong if we were to vote away some $8,000, which this Bill will be the means of doing, while we are depriving the six sessional messengers in this House of some $40 or $50 each. If those messengers had any control over the length of the session, if it were through any fault of their own that they are here a shorter time than usual it would be different. The fact that this session covers only sixty or sixty-five days is not their fault. If they were in a position to vindicate their rights I would not occupy the time of the House in discussing the subject, but certainly I do not feel disposed to let this Bill go without dividing the House.

Hon. Mr. ALLAN—I think we are making a great ado about a small matter. Moreover, I do not think we have a right to criticize the proceedings of the other House and suggest that they are taking this extra amount to cover time spent in looking after elections. It is a pity the matter should be discussed in this way. As regards the messengers, I was one of those who voted in the Committee for not granting them an extra allowance, and for this reason, the hon. gentleman knows very well that we have had it thrown in our teeth from time to time that our expenditures are extravagant, and in excess of those of the House of Commons. Therefore, when I heard that the House of Commons had voted a certain sum to their messengers, I did not think that we should go beyond that. But when the House of Commons chose to increase the amount, there was no reason why our messengers should be placed at a disadvantage as compared with the messengers of the other House. While I agree as to the inexpediency of making this allowance at this time of the session, still I do not think we will place ourselves in a very dignified position by dividing the House on this Bill.

Hon. Mr. BOWELL—I cannot allow the remarks of the hon. gentleman from New Westminster to pass without a slight comment. I do not know what he meant or intended to convey by his very courteous words—the smallest thing ever perpetrated by a Government—but one thing I can tell him, that the late Sir John Macdonald, had he been here, would have been just as safe a guardian of the public funds as the hon. gentleman could be. Sir John Macdonald's views of right and wrong certainly cannot be gauged by the opinions expressed by the hon. gentleman from New Westminster. The report of the Contingent Accounts Committee was based upon principle. That principle I expressed very fully at the time—that I thought either House should deal in matters of public expenditure as far as possible in the same manner as they would deal with their own funds, and I question very much if the hon. gentleman would have put his hand in his pocket to pay any one of his servants $125 a month when he had agreed to pay him only $2.50 per day. It is singularly unfortunate that in public affairs, people have their pets that they desire to pay, at the expense of the country, more than they should legally receive. We have acted upon the broad principle of paying our messengers the wages that we agreed to pay them. If any one has done extra service then I say a gratuity should be paid to him, as one would do in private business, and as I have no doubt would be done here if circumstances warranted such payment, but I object *in toto* to the construction put upon my action. I took the course that I pursued here upon my own individual responsibility, but I am quite satisfied that the Government, if their opinion were asked, would justify my course in that matter; nor should I have deviated from that had it not been from the fact that the House of Commons thought proper to make an allowance to their messengers, and I could see no equitable reasons why the messengers of this House should not receive the same consideration. As to the Bill now before us, I have not the slightest objection to record my vote in its favour, though, as I intimated when I moved the motion, I think it would be more dignified—and I say it unreservedly—if members of either House did not urge this matter session after session. However, as the Bill has been passed by the House of Commons, it will place the Senate in an invidious position were they to reject it. If we are to have a division I trust the hon. gentleman from Ottawa will not be excused from recording his vote, because he has no personal interest, nor has any other hon. gentleman who has been at the seat of Government during the whole period of the session. It affects only those who happened to be absent. I almost regret having made those remarks, but I considered them necessary, because I did not think the hon. gentleman's remarks were warranted under the circumstances. I might call his attention to this also—I know of no by-election which has taken place, except the one in Middlesex, during this session.

Hon. Mr. McINNES (B.C.)—I was speaking of last year.

Hon. Mr. BOWELL—We are not dealing with the matters of last session. There has been no "gallivanting about the country," or electioneering that I am aware of, unless it has been in the election of the gentleman who has just taken his seat in the House of Commons for Middlesex. It is one of the rights of a British subject to take part in elections and endeavour to elect the man of his choice, in order to affirm the principles which he believes to be right in governing the country without his action being designated as "gallivanting."

Hon. Mr. McINNES (B.C.)—He should do it at his own expense.

Hon. Mr. BOWELL—I shall take part in elections as long as I have the health and strength to do it, and I have no doubt the hon. gentleman would do the same thing if he thought he could help his party.

Hon. Mr. McINNES (B.C.)—I trust that the hon. gentleman will not take my remarks as being personal—I did not refer to him personally. I meant to refer to the Government as a whole.

Hon. Mr. BELLEROSE—I have already given my views on this question and I have not changed them. When I spoke on the subject, had a vote been taken I should probably have recorded mine against the Bill. But to-day I must deal with the matter as it stands before us. The Government having done what I believe is right towards our messengers, or at least having given them a portion of what they are entitled to, I shall not vote against this Bill. We must approve of what has been done in the other House. The members of that body having decided that there is a justification this year for allowing six days absence of any member without reducing his sessional indemnity, I should not like to condemn their judgment. While I am not in favour of the principle of this Bill, I believe that the sessional indemnity ought to be larger than it is. Public men who devote themselves to their duties should receive more than $1,000 a year. However, in this instance that is not the question before us; we are simply asked to declare that a member shall not suffer a reduction of his indemnity unless he has been absent more than six days during the session. If the House is divided on this question, I shall vote for the Bill.

Hon. Mr. SMITH—At this late stage of the session, and inasmuch as we are not responsible for this Bill, I think it is bad taste to find fault with those who are responsible to the country for their action. It is a small matter, and not one calculated to improve the character of this House to give such prominence to this particular motion. The hon. gentlemen who are opposing this Bill were quite willing recently to vote away the public money to people who had not earned it, but they are ready to-day to find fault with a Bill which comes to us endorsed by the House of Commons. It is a poor rule that will not work both ways. The hon. member from New Westminster was one of those who would have voted away the public money improperly this week had the House allowed him to do so. Since we are not responsible for this Bill, I cannot see why the hon. gentleman opposes it, unless his object is to make a little political capital at the end of the session. He has had so very little to find fault with this session that we should forgive him for seizing upon this opportunity to make a point against the majority.

Hon. Mr. POWER—I rise simply for the purpose of asking the hon. gentleman from New Westminster not to demand a division on this Bill. I cannot agree with the hon. gentleman from Toronto that it is bad taste to discuss it. I think the bad taste was in introducing the measure and passing it; but inasmuch as we are not responsible for it and cannot defeat it, it would be better not to have a division. I hope the expression of opinion here to-day may have the effect of preventing the introduction of such measures in the future.

The motion was agreed to, and the Bill was read the third time and passed.

HOMESTEAD EXEMPTION ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (116) " An Act to amend the Homestead Exemption Act."

The Bill was read the first time.

Hon. Mr. BOWELL moved that the rule be suspended, and that the Bill be read the second time at length at the Table. He said:—Under the statute regulating homestead exemptions in the North-west each settler is allowed to hold 80 acres free from seizure. The Manitoba Legislature passed an Act extending the exemption to 160 acres. That Act was declared *ultra vires* of their power under the Constitution. A motion was introduced in the other House by Mr. Davin to repeal the clause altogether. That would have the effect of leaving the settlers without an exemption whatever from seizure. The Minister of the Interior did not think that that would be justice to the settlers, particularly those who had selected homesteads in the North-west under the Act providing for the exemption of 80 acres, and instead of repealing the provision altogether, this Bill provides for the repeal of the section limiting the exemption to 80 acres and extends it to 160 acres. This Bill will confer a greater benefit on the settlers than they enjoy under the present law.

The motion was agreed to, and the Bill passed through its final stages.

DAIRY PRODUCTS BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (125) "An Act to prevent the manufacture and sale of filled or imitation cheese, and to provide for the branding of dairy products."

The Bill was read the first time.

Hon. Mr. ANGERS moved the suspension of the rule, and that the Bill be read the second time at length at the Table. He said:—The object of this Bill is to prevent the sale of skim-milk cheese unless it is branded as such, and to prevent United States cheese from being brought into this country and sold in England as Canadian cheese. It also provides that all Canadian cheese for export shall be marked "Canada" or "Canadian."

Hon. Mr. SCOTT—It is quite apparent that we are having some very important legislation introduced within a few hours of the prorogation of Parliament. It is fortunate that the proposed legislation is such that it is not open to serious objection. At the same time, it is scarcely fair to the Senate to deprive us of an opportunity of commenting on these measures. I quite appreciate the importance of this Bill and think it is most desirable that United States cheese should not be sold in the European market under the name of Canadian, as I am told has been done. How do the Government propose to meet the difficulty which is sure to arise of cheese being branded, as it can be in the United States, "Canadian" and shipped through Canada to England in bond? Have we the power to change the brand on these packages? How are we to examine them to ascertain whether they are improperly marked? It raises a very important international question. That is where the great danger is to be apprehended. I do not see how we can check the fraud when it is perpetrated in the way I have indicated.

Hon. Mr. ANGERS—It is impossible to interfere with goods passing through this country in bond. If the cheese bears false marks I do not think that we can alter those marks. What we can do is to prevent Canadian citizens from dealing with that cheese—punish them for selling when they know that it has not been made in this country.

Hon. Mr. SCOTT—The sales, of course, are made on the other side of the Atlantic.

Hon. Mr. ANGERS—There is always a middle-man in Canada and we can reach him.

The motion was agreed to, and the Bill passed through its final stages.

HARBOUR COMMISSIONERS OF MONTREAL BILL.

COMMONS AMENDMENTS AGREED TO.

A Message was received from the House of Commons to return Bill (99) "An Act respecting the Harbour Commissioners of Montreal," with amendments.

Hon. Mr. ANGERS moved that the amendments be concurred in. He said:—The Bill was amended in this House to make the Mayor of Montreal *ex officio* a member of the Montreal Harbour Commission. The result of the amendment was to equally divide the Board between those appointed by the Government and those representing the city. It is desirable that the Government should have a controlling voice; they are expending public moneys in Montreal harbour, and it has always been an accepted principle in such cases that the Government should have the control. This amendment is to add another member, so that there may be six appointed by the Government and five by the city.

The motion was agreed to.

THE SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (135) "An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service, for the financial years ending respectively the 30th June, 1893, and the 30th June, 1894, and for other purposes relating to the public service."

The Bill was read the first time.

Hon. Mr. BOWELL moved the suspension of the rule and that the Bill be read the second time.

Hon. Mr. MACDONALD (B.C.)—Before the Bill is passed, I wish to congratulate the Government and this House on the shortness of the session. It has been a very satisfactory session. We have been busy from the first. It shows what can be done when the Government is prepared with its measures in time. I hope they will be equally prepared next year and that we may look forward to having shorter sessions hereafter than we have had of late years—sessions extending not longer than ninety days. If the work is pushed as vigorously next session as it has been this year, and the Government are prepared with their estimates and measures at the opening, the session need not last longer than ninety days at the outside.

Hon. Mr. POWER—The hon. gentleman from Victoria has every reason to be satisfied with the session. I notice in the Estimates that over $300,000 has been appropriated to be expended in Victoria and its immediate vicinity. I can readily understand that the session has been exceedingly satisfactory to him.

Hon. Mr. BOWELL—I thank the hon. gentleman from Victoria for the remarks he has made in reference to the action of the Government during the present session, but I can assure him that the length of the session is not always the result of the Government not being prepared with its measures, or of the Budget speech not being delivered at an early day. In the more democratic branch of Parliament time is occupied unsparingly for days and weeks, and sometimes for months, in discussing abstract principles, discussing matters over which the Government have no control whatever, and in this way, to a very great extent, the sessions are prolonged. However, it is not always the fault of those who pursue that course. On behalf of the Government I have to thank the chairmen of the different committees for the assiduity with which they have discharged their duties during the present session. Very little time has been lost by the standing committees in the consideration of the measures submitted to them. For myself, I am extremely thankful for the courtesy and assistance I have received from every member of the Senate during the session. I feel it all the more from the fact that I entered the House as a stranger—at least to this House—assuming a very responsible position and following a gentleman whose talents and ability were universally recognized; but I have been relieved of anxiety to a very great extent by the assistance received, not only from gentlemen who are in accord with the Government upon their general policy, but also from those who differ from us upon the great questions which divide parties in this country. I can only hope that as long as I occupy my present position we may at the end of every session of Parliament be enabled, as we are now, to congratulate ourselves upon the kindly feeling that exists between all parties. As we are to a very great extent placed in positions where the narrow views of politicians should not prevail, for the purpose of legislating in the public interests without introducing those acrimonious discussions which sometimes take place in the other branch of Parliament, I hope that we shall continue to pursue the same moderate course. If the members of the House are as satisfied and gratified with the conduct of the members representing the Government in the Senate as I am with them, I can only say that we part not only good friends, but with the hope that our intercourse will continue and be of the same agreeable character in the future. (Applause.)

Hon. Mr. POWER—So say we all.

The Bill passed through its final stages.

The Senate adjourned during pleasure.

THE PROROGATION.

At three o'clock p.m., His Excellency the Governor-General proceeded in state to the Senate Chamber and took his seat upon the Throne. The members of the Senate being assembled, His Excellency was pleased to command the attendance of the House of Commons and that House being present, the following Bills were assented to, in Her Majesty's name, by His Excellency the Governor-General, viz. :—

An Act respecting the Hamilton Provident and Loan Society.

An Act to incorporate the Dominion Burglary Guarantee Company (Limited).

An Act respecting the Central Counties Railway Company.

An Act respecting the Grand Trunk, Georgian Bay and Lake Erie Railway Company.

An Act respecting the Manitoba and South-eastern Railway Company.

An Act respecting the St. Lawrence and Adirondack Railway Company.

An Act to amend the Act to readjust the Representation in the House of Commons.

An Act to give effect to an agreement between the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, and the Corporation of the City of Toronto.

An Act respecting the Lake Erie and Detroit River Railway Company.

An Act to amend the Act to incorporate the Montreal and Atlantic Railway Company.

An Act to amend the Act to incorporate the Buffalo and Fort Erie Bridge Company.

An Act to amend the Act to incorporate the Manufacturers' Accident Insurance Company, and to change its name to "The Manufacturers' Guarantee and Accident Insurance Company."

An Act to incorporate the Eastern Trust Company.

An Act respecting the Alberta Railway and Coal Company.

An Act to amend the law relating to Holidays.

An Act to correct a clerical error in the Bank Act.

An Act to amend the Wrecks and Salvage Act.

An Act respecting the disposal of moneys paid in connection with proceedings before Parliament.

An Act for the relief of Edmund Holyoake Heward.

An Act for the relief of Martha Ballantyne.

An Act for the relief of James Balfour.

An Act respecting the Western Counties Railway Company, and to change the name of the Company to the Yarmouth and Annapolis Railway Company.

An Act respecting the Canada Life Assurance Company.

An Act to revive and amend the Act to incorporate the Equity Insurance Company, and to change the name of the Company to the St. Lawrence Insurance Company.

An Act to incorporate the Woodmen of the World.

An Act to incorporate the Ocean Guarantee Corporation.

An Act respecting the Canadian Power Company.

An Act for the relief of Robert Young Hebden.

An Act respecting the Port Arthur, Duluth and Western Railway Company.

An Act to amend an Act respecting the Nova Scotia Permanent Benefit Building Society and Savings Fund.

An Act relating to the Harbour of Thornbury, on Georgian Bay.

An Act further to amend the Act to enable the City of Winnipeg to utilize the Assiniboine River water power.

An Act respecting the Canadian Pacific Railway Company.

An Act respecting the Chilliwhack Railway Company.

An Act to incorporate the Atlantic and Lake Superior Railway Company.

An Act respecting the Columbia and Kootenay Railway and Navigation Company.

An Act further to amend the Supreme and Exchequer Courts Act.

An Act to incorporate the Canada Carriage Company.

An Act to incorporate the Ocean Accident Corporation.

An Act to incorporate the Canada North-west Land Company (Limited).

An Act respecting the Grand Trunk Railway Company of Canada.

An Act to revive and amend the Act to incorporate the Moncton and Prince Edward Island Railway and Ferry Company.

An Act to consolidate and amend certain Acts relating to the Manitoba and North-western Railway Company of Canada.

An Act to incorporate the Cleveland, Port Stanley and London Transportation and Railway Company, and to confirm an Agreement respecting the London and Port Stanley Railway.

An Act respecting the Nelson and Fort Sheppard Railway Company.

An Act to incorporate the Automatic Telephone and Electric Company of Canada.

An Act respecting the London and Port Stanley Railway Company.

An Act respecting the Temiscouata Railway Company.

An Act to incorporate the Canada Atlantic and Plant Steam-ship Company (Limited).

An Act to amend an Act to incorporate the Eastern Canada Savings and Loan Company (Limited).

An Act respecting the British American Assurance Company.

An Act to incorporate the Canadian Gas Association.

An Act further to amend the Steam-boat Inspection Act.

An Act to amend the Act respecting the Harbour and River Police of the province of Quebec.

An Act further to amend the Act respecting Public Officers.

An Act to incorporate the Grand Council of the Catholic Mutual Benefit Association of Canada.

An Act to revive and amend the Act to incorporate the North Canadian Atlantic Railway and Steam-ship Company, and to change the name thereof to "The Quebec and Labrador Railway and Steam-ship Company."

An Act to amend the Inland Waters Seamen's Act.

An Act for the relief of John Francis Schwaller.

An Act for the relief of James Frederick Doran.

An Act for the relief of Annette Marion Goff.

An Act further to amend the Act respecting Joint Stock Companies to construct works to facilitate the transmission of Timber down Rivers and Streams.

An Act to incorporate the Nakusp and Slocan Railway Company.

An Act respecting the Toronto, Hamilton and Buffalo Railway Company.

An Act to confirm the sale of the Carleton, City of Saint John, Branch Railroad.

An Act to incorporate the Canadian Live Stock Insurance Association.

An Act to make further provision respecting Grants of Land to members of the Militia Force on active service in the North-west.

An Act to incorporate the British Columbia Dock Company.

An Act to incorporate the Calgary Street Railway.

An Act to amend the Civil Service Superannuation Act.

An Act respecting the Voters' Lists, 1893.

An Act to incorporate the North American Canal Company.

An Act further to amend the Patent Act.

An Act to incorporate the Calgary Hydraulic Company.

An Act respecting the Ladies of the Sacred Heart of Jesus.

An Act to incorporate the Calgary Irrigation Company.

An Act to incorporate the Alberta Irrigation Company.

An Act respecting Government Civil Service Insurance.

An Act respecting Witnesses and Evidence.

An Act further to amend the General Inspection Act.

An Act further to amend the Dominion Lands Act.

An Act further to amend the Railway Act.

An Act to amend the Criminal Code, 1892.

An Act relating to the custody of juvenile offenders in the province of New Brunswick.

An Act to authorize the granting of Subsidies in aid of the construction of the lines of Railway therein mentioned.

An Act respecting the appointment of Commissioners to the World's Columbian Exposition.

An Act to amend the Act respecting the Royal Military College.

An Act further to amend the Petroleum Inspection Act.

An Act to amend the Act respecting Ocean Steam-ship Subsidies.

An Act respecting the Drummond County Railway Company.

An Act further to amend the Acts respecting the Duties of Customs.

An Act further to amend the Act respecting the Senate and House of Commons.

An Act relating to the granting of subsidies in land to Railway Companies.

An Act to amend the Revised Statutes respecting the Department of Public Printing and Stationery.

An Act to amend the Homestead Exemption Act.

An Act to prevent the manufacture and sale of filled or imitation cheese, and to provide for the branding of dairy products.

An Act respecting the Harbour Commissioners of Montreal.

An Act to amend the Merchant Shipping Act, with respect to load-lines.

Then the Honourable the Speaker of the House of Commons addressed His Excellency the Governor-General as follows :—

"MAY IT PLEASE YOUR EXCELLENCY :

"The Commons of Canada have voted certain Supplies required to enable the Government to defray the expenses of the Public Service.

"In the name of the Commons, I present to Your Excellency the following Bill :—

> 'An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial years ending respectively the 30th June, 1893, and the 30th June, 1894, and for other purposes relating to the Public Service ;'

to which Bill I humbly request Your Excellency's assent."

To this Bill the Royal assent was signified in the following words :—

"In Her Majesty's name, His Excellency the Governor-General thanks Her Loyal Subjects, accepts their benevolence, and assents to this Bill."

After which His Excellency the Governor General was pleased to close the THIRD SESSION of the SEVENTH PARLIAMENT of the DOMINION with the following Speech :

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

In relieving you from attendance in Parliament for this year, I congratulate you upon the energy and promptitude with which you have disposed of the duties of the session just ended.

The assembly at Paris of the Behring Sea Arbitration Tribunal give reason to hope that the differences which have existed between the Government of the United States and the Government of the Dominion are approaching a satisfactory adjustment, while the nomination of the Prime Minister of Canada as one of the arbitrators affords a guarantee that the interests of our sealers will be properly though not unduly safeguarded.

The treaty of commerce which was negotiated with France on behalf of Canada has been laid before you together with the correspondence which passed during the negotiations ; but owing to the late period of the session at which the treaty was received, and the pendency of communications as to its bearing in respect of most-favoured-nation treatment and the interpretation of certain of its clauses, my Government has thought it advisable to postpone for the present its ratification by Parliament.

I thank you for the ample provisions you have made to protect the country from the possible introduction of cholera, and I trust that the precautions taken will result in guarding against any danger from that source.

The liberal provisions made for the proper representation of Canada at the World's Columbian Exposition will, I doubt not, enable this country to make a worthy exhibit of her resources and progress among the nations of the World.

The various Acts which you have placed upon the Statute-book will contribute to the maintenance of public security and the continued progress of the Country.

Gentlemen of the House of Commons :

I thank you for the liberal provisions you have made for the requirements of the public service.

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

I feel with deep regret that the period of my official connection with the Dominion is drawing towards its close and that in all probability I am taking leave of you for the last time. Lest this should be the case, I desire to avail myself of the present occasion to express my abiding interest in all that concerns the welfare of Canada, and my sincere affection to her people, who have never failed to testify their loyalty to the person and throne of our Sovereign, and to show kindness and consideration to her representative. It will ever be my sincere desire to be of service to the Dominion and I shall continue to cherish feelings of the warmest solicitude for the welfare and prosperity of those amongst whom I have been placed during the past five years

I pray that the blessing of Almighty God may at all times attend you.

THE SPEAKER of the Senate then said :

Honourable Gentlemen of the Senate, and Gentlemen of the House of Commons :

It is HIS EXCELLENCY THE GOVERNOR-GENERAL'S will and pleasure, that this Parliament be prorogued until Thursday, the eleventh day of May next, to be here held, and this Parliament is accordingly prorogued until the eleventh day of May next.

INDEX

TO

DEBATES OF THE SENATE

OF THE

DOMINION OF CANADA

1893.

PART I. constitutes an Index to the names of Senators, with their action upon the respective subjects.

PART II. constitutes an analytical Index to all subjects debated.

The following abbreviations are used: Addl., additional; Amt., amendment; Amd., amended; Appt., appointment; B., Bill; Cl., Clause; Co., Company; Com., Committee; Com. of the W., Committee of the Whole House; Corresp., Correspondence; Govt., Government; His Ex., His Excellency; H. of Commons, House of Commons; Incorp., Incorporation; Inqy., Inquiry; Inquies., Inquiries; M., Motion; *m.*, moved; Par., paragraph; Ry., Railway; Sect., section; W., Whole House.

On a Division: C., Content; N.-C., Non-Content.

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2nd R. *m.* (Mr. Angers), 310; debate: Mr. Angers, 310—Mr. Dickey, 311, 312—Messrs. Poirier, Dickey, Scott, 313—Messrs. Power, Dickey, Gowan, 314—Messrs. Power, Gowan, Angers, 318—Messrs. Botsford, Gowan, 319; Adjt. *m.* (Mr. Vidal) and M. agreed to, 320.
Debate resumed: Mr. Vidal, 328—Messrs. McInnes, Vidal, 329—Messrs. Poirier, Vidal, 330—Messrs. Gowan, Vidal, 331, 332—Mr. Allan, 333—Mr. Miller, 335-339; debate adjourned till to-morrow (18th March).
Debate resumed: Messrs. Power, Read, 343—Messrs. Gowan, Poirier, Vidal, 344—Messrs. Poirier, Power, 345—Messrs. McInnes, Power, 346—Messrs. Gowan, Power, 348—Messrs. Vidal, Power, 349—Messrs. Kaulbach, Power, 350—Messrs. O'Donohoe, Kaulbach, 351—Messrs. O'Donohoe, Kaulbach, Gowan, 352—Mr. Scott, 353-355—Mr. Power, 355-356—Messrs. Boulton, Scott, Poirier, 357—Messrs. Power, Scott, Poirier, 359—Messrs. Poirier, Scott, Allan, Power, Gowan, 360—Messrs. Boulton, Scott, Bellerose, 361—Mr. Poirier, 362.
Suggestion (Mr. Vidal)—after Recess—that Orders of the Day be disposed of, 363.
Debate continued: Mr. Poirier, 367-370—Messrs. Dever, Boulton, Allan, 370—Mr. Poirier, 370-373—Mr. Boulton, 373—Mr. Power, 374—Mr. Boulton, 374-376—Messrs. Gowan, Angers, 376—Messrs. Power, Angers, 377.
M. for 2nd R. carried (C. 30, N-C. 7), 378.
In Com. of the W., Amt. *m.* (Mr. Bellerose) insertion of "temporarily" after "leave" and leaving out from "chair" to end of clause, and inserting "until the Speaker resumes the Chair during the same sitting," 388; remarks: Messrs. Angers, Power, 389—Messrs. Dickey, Allan, Bellerose, 390—Messrs. Kaulbach, Power, Dickey, Allan, Angers, 391—Messrs. Prowse, Vidal, Angers, Dickey, McKay, 392; M. agreed to, 392.

BILLS—*Continued.*

(**N**) An Act respecting the Speaker of the Senate—*Continued.*
Amt. *m.* (Mr. Scott) that the word "choose" be substituted for "appoint," and M. agreed to, 392.
Amt. *m.* (Mr. Angers) that "preside" be substituted for "act," and M. agreed to, 392.
Amt. (Mr. Bellerose) that 3rd clause be struck out; amt. declared lost, and cl. adopted, 392.
Amt. *m.* (Mr. Power) that a 4th clause be added, that no addl. charge on revenue be imposed by passing of this Act, 392; remarks: Messrs. Angers, Power, Masson, 392; Messrs. Masson, Bowell, Power, Macdonald (B.C.), Bellerose, 393; Amt. rejected, 393.
B. reported (Mr. MacInnes) from Com., with amts., 393; amts. concurred in, 393.
3rd R. *m.* (Mr. Angers), 395; debate: Mr. Dickey, 395; Messrs. Kaulbach, Dickey, 396; Messrs. Gowan, Allan, 397; M. agreed to, 398, and B. 3rd R., 398.

(**O**) An Act to amend the Seamen's Act.—(*Mr. Bowell.*)
1st R.*, 286.
2nd R. *m.* (Mr. Bowell); remarks as to lien upon vessel: Messrs. Bowell, Vidal, Power, 295; Messrs. Kaulbach, Bowell, 296. M. agreed to, 296.
In Com. of the W.; remarks: Messrs. Bowell, Power, Kaulbach, 301.
B. reported (Mr. Howlan) without Amt., 302.
3rd R.*, 302.

(**P**) An Act to amend the Inland Waters Seamen's Act.—(*Mr. Bowell.*)
1st R.*, 286.
2nd R. *m.* (Mr. Bowell), 296; remarks respecting engagements of crews, &c.: Messrs. Bowell, Ogilvie, Vidal, 296; M. agreed to, 296. In Com. of the W.; remarks (Mr. Bowell) respecting liens on vessels, 302.
B. reported (Mr. Vidal) without Amt.*, 303.
3rd R.*, 303.
Assent, 512.
(56 *Vict. cap.* 24.)

(**Q**) An Act to incorporate The Canadian Live Stock Insurance Association.—(*Mr. Almon*).
1st R.*, 287.
2nd R.*, 300.
Reported (Mr. Allan) from Banking and Commerce Com., with Amts. (increase of capital stock, &c.), 440; concurrence *m.* (Mr. Almon) and M. adopted, 444.
3rd R.*, 444.
Assent, 512.
(56 *Vict.*, *cap.* 77.)

(**R**) An Act further to amend the Revised Statutes respecting Canned Goods.—(*Mr. Bowell*).
1st R., 320.
2nd R. *m.* (Mr. Bowell), 388; remarks: Messrs. Dever, Bowell, Prowse, 388; M. agreed to, 388.
In Com. of the W.; on first section, as regards name and address on package; remarks: Messrs. Kaulbach, Howlan, Bowell (suggestion of Mr. Dever adopted, date of canning to be also stamped), Prowse, 399; Messrs. McDonald (P.E.I.), Power, Kaulbach, Angers, Prowse, McInnes, Bowell (intention of taking steps against fraudulent marking of cheese), 400; Messrs. Dever, Bowell, Read. Howlan, McInnes, 401; Messrs. Power, Dever, Kaulbach, Sullivan, Reesor, 402; Messrs. Scott, McInnes, 403; Messrs. Angers, Bowell, Dever, Power, 404; Messrs. Kaulbach, Dever, Boulton, Reesor, Prowse, Ogilvie, 405; clause adopted, 405. On last clause; on ques. of penalty for misrepresentation of goods, remarks: Messrs. Power, Bowell, 405; Messrs. Dickey, Bowell, Power, Reesor, 406.
B. reported (Mr. Desjardins) from Com., with certain amts.; amts. concurred in, 406.
3rd R. *m.* (Mr. Bowell) and M. agreed to, 424.

(**S**) An Act further to amend the Act respecting Joint Stock Companies to construct works to facilitate the transmission of Timber down Rivers and Streams.—(*Mr. Bowell.*)
1st R. *m.* (Mr. Bowell) and agreed to, 321.
2nd R. *m.* (Mr. Bowell), 343; question (Mr. Power) as to rates, 343; reply (Mr. Bowell), 343. M. agreed to, 343.
In Com. of the W., and reported (Mr. Vidal) with Amts.*, 398; Amts. concurred in*, 398.
3rd R.*, 398.
Assent, 512.
(56 *Vict.*, *cap.* 26.)

(**T**) An Act to amend the North-west Territories Act.—(*Mr. Angers.*)
1st R.*, 424.
2nd R.*, 424.
In Com. of the W.; question: Mr. Power, as to issue of proclamation; reply: Mr. Lougheed, 439; remarks: Messrs. Angers, Power, MacInnes, 439.
3rd R. *m.* (Mr. Angers) and agreed to*, 440.

(**U**) An Act further to amend the Railway Act.—(*Mr. Bowell.*)
1st R.*, 367.
2nd R. *m.* (Mr. Bowell), 424; remark as to 3rd clause: Mr. Power, 425; reply: Mr. Bowell, and M. agreed to, 425.
In Com. of the W.; on 1st clause, slight amts. *m.* (Mr. Bowell), 448; ques. (Mr. Sullivan); reply (Mr. Bowell), 448; M. agreed to, 448.
On 2nd clause, amt. *m.* (Mr. Bowell) crossing of tracks, 448; ques. (Mr. Sullivan) branch line to Kingston; reply (Mr. Bowell), 448; M. agreed to, 448; amt. (Mr. Scott) street railway conductors to go ahead at crossings and signal motorman to cross, 448; remarks: Messrs. Smith, Scott, 448—Messrs. Smith, Dickey, Scott, Ogilvie, Ferguson, 449—Messrs. Power, Smith, Scott, 450; Amt. restricted to electric railways and adopted, 450.
M. (Mr. Bowell) that clause 3 be struck out, agreed to, 450.

BILLS—*Continued.*

On 4th clause, Niagara Falls Electric Ry.; remarks: Mr. Bowell, 450; amt. (Mr. Ferguson) restriction to its operation by electricity, 450; remarks: Mr. Bowell, 450; Messrs. Ferguson, Bowell, that the Amt. be not pressed; *m.* that a limitation clause *re* damages be inserted, 451; M. agreed to, 451. On section 11, amt. (Mr. McInnes) that paragraph c., Ry. Act, cl. 29, Statutes 1888, be repealed (length of branch lines) remarks: Messrs. Kaulbach, McInnes, Bowell, 451—Messrs. McInnes, Bowell, 452; Amt. declared lost, 452.
Reported (Mr. Dever) from Com. with amts., 452; Amts. concurred in, 452.
3rd R. *m.* (Mr. Bowell) with amt. *re* operation of Niagara Falls Ry. by electricity, concurred in, 454.
Assent, 512.
(56 *Vict., cap.* 30.)

(V) An Act further to amend the General Inspection Act.—(*Mr. Bowell.*)
1st R. *m.* (Mr. Bowell), 394.
2nd R. *m.* (Mr. Bowell), 437; question (as to changes in Bill respecting classification of apples); reply: Mr. Bowell, 438; debate: Messrs. Power, Almon, Kaulbach, 438; Messrs. Reesor, Bowell, 439; M. agreed to, 439.
Assent, 512.
(56 *Vict., Cap.* 35.)

(W) An Act relating to the granting of subsidies in land to Railway Companies.—(*Mr. Bowell.*)
Introduced, with explanation (Mr. Bowell), 462.
1st and 2nd R.*, 463.
In Com. of the W., on 1st cl., remarks: Messrs. Power, Scott, Bowell, 463.
B. reported (Mr. Perley) without amt., 463.
3rd R.*, 463.
Assent, 512.
(56 *Vict., Cap.* 4.)

(X) An Act to amend the Revised Statutes respecting the Department of Public Printing and Stationery.—(*Mr. Bowell.*)
Suspension of Rule, and
1st R. *m.* (Mr. Bowell); B. explained, 481.
2nd R.*, 481.
3rd R.*, 481.
Assent, 512.
(56 *Vict., Cap.* 15.)

(3) An Act to amend the Wrecks and Salvage Act.—(*Mr. Bowell.*)
1st R.*, 295.
2nd R. *m.* (Mr. Bowell), and agreed to, 339.
In Com. of the W., explanation of the B. (Mr. Bowell); substitution of the word "Minister" for "Governor in Council," 365.
Reported (Mr. Vidal) without amt., 365.
3rd R.*, 365.
Assent, 512.
(56 *Vict., Cap.* 23.)

BILLS—*Continued.*

(6) An Act further to amend the Steam-boat Inspection Act.—(*Mr. Bowell.*)
1st R.*, 453.
2nd R. *m.* (Mr. Bowell), 457; M. agreed to, 458.
In Com. of the W.; remark: Mr. Power, 458.
Reported (Mr. MacInnes) from Com., without amt., 458.
3rd R.* of B., and passed under suspension of rules, 458.
Assent, 512.
(56 *Vict., Cap.* 25.)

(11) An Act respecting Government Civil Service Insurance.—(*Mr. Bowell.*)
1st R.*, 490.
Suspension of rule *m.* (Mr. Bowell) and 2nd R. of B.*, 490.
In Com. of the W.; Bill explained (Mr. Bowell), 490; debate: Messrs. Kaulbach, Bowell, Dever, Power, MacInnes, 490—Messrs. Dever, Kaulbach, Bowell, Clemow, Power, Allan, 491—Messrs. Angers, Kaulbach, Sullivan, Power, 492.
Reported (Mr. McInnes) from Com., without amt, 492.
3rd R.*, 492.
Assent, 512.
(56 *Vict., cap.* 13.)

(13) An Act to give effect to an agreement between the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, and the Corporation of the City of Toronto.—(*Mr. MacInnes, Burlington.*)
1st R.*, 278.
2nd R.*, 282.
Reported from Ry. Com., without amt., 287; 3rd R.*, 287.
Assent, 512.
(56 *Vict., cap.* 48.)

(15) An Act to incorporate the Dominion Burglary Guarantee Company (Limited).—(*Mr. McMillan.*)
1st R.*, 183.
2nd R. *m.* (Mr. McMillan); ques.: Mr. Kaulbach, reply: Mr. McMillan; notice (Mr. Almon) of amt., exemption of N.S. from the B., 220; M. agreed to, 220. Reported from Banking and Commerce Com.*, 244.
3rd R.*, 244.
Assent, 512.
(56 *Vict., cap.* 78.)

(17) An Act respecting the St. Lawrence and Adirondack Railway Company.—(*Mr. McMillan.*)
1st R.*, 251.
2nd R. *m.* (Mr. McMillan) and agreed to, 278.
3rd R.*, 284.
Assent, 512.
(56 *Vict., cap.* 60.)

(19) An Act respecting the Hamilton Provident and Loan Society.—(*Mr. MacInnes, Burlington.*)
1st R.*, 183.
2nd R.*, 220.

BILLS—*Continued.*
Reported from Banking and Commerce Com.*, 244.
3rd R.*, 244.
Assent, 511.
(56 *Vict., cap.* 85.)

(20) An Act to amend the Act to incorporate the Buffalo and Fort Erie Bridge Company.—(*Mr. Ferguson.*)
1st R.*, 220.
2nd R. *m.* (Mr. McCallum), 246; M. agreed to, 246.
Reported (Mr. Dickey), from Railways, Telegraphs and Harbours Com., with Amt., clause relating to the bearing of the General Railway Act, 251; adoption *m.* (Mr. Dickey), 252; M. agreed to, 252.
3rd R.*, 252.
Assent, 512.
(56 *Vict., cap*, 64.)

(23) An Act respecting Witnesses and Evidence.—(*Mr. Angers.*)
1st R.*, 283.
2nd R. *m.* (Mr. Angers), 363; debate: Messrs. Gowan, Angers, Power, Kaulbach, Allan, Bowell, 364—Messrs. Angers, Kaulbach, Power, McInnes, 365—M. agreed to, 365.
In Com. of the W., on principle of B. (by consent); debate: Messrs. Angers, Gowan, 407—Messrs. Scott, Gowan, 408-409—Messrs. Scott, Miller, 411—Messrs. Masson, Scott, 413—Messrs. Kaulbach, Angers, Scott, 414—Messrs. Scott, Angers, Bellerose, Power, Kaulbach, 415—Messrs. Miller, Kaulbach, McKindsey, Lougheed, 416—Messrs. Scott, Lougheed, 417—Mr. Miller, 418—Messrs. Lougheed, Miller, Power, Dever, Scott, Angers, 419—Messrs. Angers, Lougheed, Miller, Scott, 420—Messrs. Lougheed, Miller, 421—Messrs. McKindsey, Lougheed, 422—Messrs. Power, Miller, Prowse, 423—Mr. Scott, 424; clause adopted and progress reported (Mr. Howlan), 424.
Again in Com.; Amt. *m.* (Mr. Power) as to failure to testify, 426; debate: Messrs. Angers, Scott, Bellerose, 426—Messrs. Scott, Angers, Kaulbach, Dever, Gowan, 427—Messrs. Miller, McKindsey, Scott, Angers, Lougheed, 428—Messrs. Power, Kaulbach, Gowan, Miller, 429; Amt. (Mr. Power) slightly changed and lost (C. 17, N.-C., 28.)
On clause 4; Amt. *m.* (Mr. Scott) as to failure to testify, and M. agreed to, 429—remarks: Messrs. Angers, Miller, Lougheed, 429—Messrs. Miller, Angers, 430.
B. reported (Mr. Howlan) from Com. with Amts; concurred in, 430.
On Order for 3rd R., Amt. *m.* (Mr. Angers), 442; debate: Messrs. Angers, Scott, Power, 442—Messrs. Angers, Power, Lougheed, Vidal, Kaulbach, 443—Messrs. Power, Angers, Kaulbach, Dickey, 444—Messrs. Kaulbach, Power, Howlan, Gowan, Vidal, Angers, McKay, Bellerose, Scott, Lougheed, 445—Messrs. Allan, Angers, 446; Amt. agreed to, 446.

BILLS—*Continued.*
Two further Amts. *m.* (Mr. Angers), remarks: Mr. Gowan; Amts. agreed to, 446.
3rd R. *m.* (Mr. Angers), 446; ques. (Mr. Lougheed) as to civil cases; reply (Mr. Angers), 446; ques. (Mr. Dickey) evidence in civil cases; reply (Mr. Angers), 446; remarks: Messrs. Dickey, Angers, Lougheed, 446—Messrs. Angers, Lougheed, 447; M. agreed to and 3rd R. of B., 447.
Correction: Mr. Bellerose pointed out omission in minutes, that 3rd R. was carried "on a division," 454.
Amts. of H. of Commons; concurrence *m.* (Mr. Angers), 492; remarks; Messrs. Kaulbach, Power, Angers, 492; M. agreed to, 493.
Assent, 512.
(56 *Vict., cap.* 31.)

(24) An Act further to amend the Supreme and Exchequer Courts Act.—(*Mr. Angers.*)
1st R.*, 394.
2nd R. *m.* (Mr. Pelletier) and M. agreed to, 406.
3rd R.*, 437.
Assent, 512.
(56 *Vict., cap.* 29.)

(25) An Act respecting the Grand Trunk, Georgian Bay and Lake Erie Railway Company.—(*Mr. Vidal.*)
1st R. (*m.* by Mr. Power)*, 220.
2nd R. *m.* (Mr. Vidal), 246; remarks on powers asked by the Company (Mr. Bowell), 246; reply (Mr. Vidal), 246; M. agreed to, 246.
Reported (Mr. Dickey) from Ry. Com., without amt., 252; suggestion (Mr. Power) that B. be referred back for further consideration (application of Ontario Act, &c.), 252; remarks: Mr. Vidal, 252; M. (Mr. Power) to recommit, 253; remarks: Messrs. Dickey, Vidal, 253; M. agreed to, 253.
Reported from Ry. Com., without amt., 283.
3rd R.*, 283.
Assent, 512.
(56 *Vict., cap.* 49.)

(26) An Act relating to the Harbour of Thornbury on Georgian Bay.—(*Mr. McKindsey.*)
1st R.*, 367.
2nd R. *m.* (Mr. McKindsey) and agreed to, 398.
3rd R.*, 425.
Assent, 512.
(56 *Vict., cap.* 67.)

(27) An Act to amend the Civil Service Superannuation Act.—(*Mr. Bowell.*)
1st R.*, 480.
Suspension of rule *m.* (Mr. Bowell), 480; objected to further than 2nd R. (Mr. Power); M. agreed to, and 2nd R. of B., 480.
On Order for Com. of the W., explanation (Mr. Bowell), 483; remarks: Messrs. Power, Bowell, 484; Messrs. Kaulbach, Bowell, Power, 485; Mr. Bowell, 486.
In Com. of the W.; on 2nd clause (age at appointment), ques. (Mr. Power) as to ap-

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pointment over 45); reply (Mr. Bowell), 486; clause adopted, 486.
On clause 5, ques. (Mr. Scott) respecting immediately superannuated civil servants; reply: Mr. Bowell, 486; further remarks: Messrs. Scott, Bowell, MacInnes, 486; clause adopted, 486.
On 5th clause, debate: Messrs. Power, Dever, 486; Messrs. MacInnes, Bowell, Read, McInnes, 487; Mr. Power, 488; clause adopted, 488.
Reported (Mr. Vidal) from Com. of the W. without amt., 488.
3rd R.*, 488.
Assent, 512.
(56 *Vict.*, *cap.* 12.)

(31) An Act respecting the Central Counties Railway Company.—(*Mr. Clemow.*)
1st R.*, 220.
2nd R. *m.* (Mr. Clemow), 246; M. agreed to, 246.
3rd R.*, 251.
Assent, 512.
(56 *Vict.*, *cap.* 42.)

(32) An Act respecting the Canada Life Assurance Company.—(*Mr. MacInnes, Burlington.*)
1st R.*, 303.
2nd R.*, 320.
Reported from Banking and Commerce Com.*, 379.
3rd R.*, 379.
Assent, 512.
(56 *Vict.*, *cap.* 76.)

(33) An Act to amend the Act to incorporate the Manufacturers' Insurance Company and to change its name to "The Manufacturers' Guarantee and Accident Insurance Company."—(*Mr. McKindsey.*)
1st R.*, 278.
2nd R.*, 282.
Reported from Banking and Commerce Com.*, 303.
Assent, 512.
(56 *Vict.*, *cap.* 80.)

(34) An Act to incorporate the Woodmen of the World.—(*Mr. Vidal.*)
1st R.*, 303.
2nd R.*, 341.
Reported from Banking and Commerce Com.*, 379.
3rd R.*, 379.
Assent, 512.
(56 *Vict.*, *cap.* 92.)

(35) An Act to incorporate the Calgary Irrigation Company.—(*Mr. Lougheed.*)
1st R.*, 424.
2nd R.*, 437.
3rd R.*, 461.
Assent, 512.
(56 *Vict.*, *cap.* 71.)

(36) An Act to incorporate the Calgary Hydraulic Company.—(*Mr. Lougheed.*)
1st R.*, 440.
2nd R.*, 452.
3rd R.*, 461.
Assent, 512.
(56 *Vict.*, *cap.* 70.)

BILLS—*Continued.*

(38) An Act respecting the Western Counties Railway Company and to change the name of the Company to the Yarmouth and Annapolis Railway Company.—(*Mr. Power.*)
1st R.*, 220.
2nd R. *m.* (Mr. Power), 245; remarks: Messrs. Kaulbach and Power (*re* issue of preferential stock), 245; M. for 2nd R. agreed to, 246.
Reported (Mr. Dickey) from Ry. Com., with amt. (restriction of powers), 288; concurrence *m.* (Mr. Power) and agreed to, 288.
3rd R.*, 288.
Assent, 512.
(56 *Vict.*, *cap.* 63.)

(39) An Act to incorporate the Ocean Accident Corporation.—(*Mr. DeBoucherville.*)
1st R.*, 283.
2nd R. of B. to-morrow (17th March), 310; remarks: Messrs. Allan, DeBoucherville, 310.
2nd R. *m.* (Mr. Ferguson) and agreed to, 342.
Reported from Banking and Commerce Com.*, 379.
3rd R.*, 379.
Assent, 512.
(56 *Vict.*, *cap.* 81.)

(40) An Act to incorporate the Canada Northwest Land Company (Limited).—*Mr. McKindsey.*)
1st R.*, 295.
2nd R.*, 320.
Reported from Banking and Commerce Com.*, 379.
3rd R.*, 379.
Assent, 512.
(56 *Vict.*, *cap.* 88.)

(41) An Act to incorporate the Eastern Trust Company.—(*Mr. Ferguson.*)
1st R.*, 287.
2nd R.*, 300.
Reported from Banking and Commerce Com.*, 303.
3rd R.*, 303.
Assent, 512.
(56 *Vict.*, *cap.* 84.)

(42) An Act to amend the Act to readjust the Representation in the House of Commons.—(*Mr. Bowell.*)
1st R.*, 278.
2nd R. *m.* (Mr. Bowell), 282; M. agreed to, 283.
In Com. of the W., and reported (Mr. Howlan) without amt.*, 283.
3rd R.*, 287.
Assent, 512.
(56 *Vict.*, *cap.* 9.)

(43) An Act to amend the Criminal Code, 1892. —(*Mr. Angers.*)
1st and 2nd R.*, 459.
In Com. of the W., clerical amt. *m.* (Mr. Power) to paragraph "K," and agreed to, 467.
On 10th paragraph (prosecutions requiring consent of Minister of Marine), 467; debate: Messrs. Angers, Kaulbach, Power, 467—Messrs. Power, Angers, 468; clause adopted, 468.

BILLS—*Continued.*
Amt. *m.* (Mr. Power) verdict to be rendered, notwithstanding one juror dissenting, 468; debate: Messrs. Kaulbach, Power, Gowan, Angers, 469; Messrs. Power, Angers, Kaulbach, Gowan, Drummond, 470; Messrs. Angers, Power, 471; Messrs. Kaulbach, Angers, Power, Gowan, Lougheed, 472; Messrs. Power, Angers, 473; Amt. *withdrawn*, 473.
Reported (Mr. Vidal) from Com., with amts.; concurred in, 473.
3rd R., 473.
Assent, 512.
(56 *Vict.*, *cap.* 32.)

(**44**) An Act respecting the Manitoba and South-eastern Railway Company.—(*Mr. Bernier.*)
1st R.*, 251.
2nd R. *m.* (Mr. Bernier) and agreed to, 278.
Reported from Ry. Com., without Amt., 284.
3rd R.*, 284.
Assent, 512.
(56 *Vict.*, *cap.* 53.)

(**45**) An Act to incorporate the Cleveland, Port Stanley and London Transportation and Railway Company, and to confirm an agreement respecting the London and Port Stanley Railway.—(*Mr. Lougheed.*)
1st R.*, 424.
2nd R.*, 437.
3rd R.*, 453.
Assent, 512.
(56 *Vict.*, *cap.* 44.)

(**46**) An Act to incorporate the Ocean Guarantee Corporation.—(*Mr. Ferguson.*)
1st R.*, 287.
2nd R.*, 287.
Reported (Mr. Allan) from Banking and Commerce Com., 303.
3rd R. *m.** (Mr. Desjardins) and M. agreed to, 303.
Assent, 512.
(56 *Vict.*, *cap.* 82.)

(**47**) An Act respecting the London and Port Stanley Railway Company.—(*Mr. Lougheed.*)
1st R.*, 440.
2nd R.*, 452.
3rd R.*, 453.
Assent, 512.
(56 *Vict.*, *cap.* 51.)

(**48**) An Act respecting the Port Arthur, Duluth and Western Railway Company.—(*Mr. Clemow.*)
1st R.*, 283.
2nd R.*, 287.
Reported (Mr. Dickey) from Ry. Com., with Amts. (to include another Minnesota Ry. Co. in the arrangements, &c.), 320; Amts. explained (Mr. Dickey), and concurrence *m.* (Mr. Clemow), 320-1; agreed to, 321.
3rd R., 321.
Assent, 512.
(56 *Vict.*, *cap.* 59.)

BILLS—*Continued.*
(**49**) An Act to incorporate the Atlantic and Lake Superior Railway Company.—(*Mr. Ogilvie.*)
1st R.*, 394.
2nd R.*, 406.
3rd R.*, 425.
Assent, 512.
(56 *Vict.*, *cap.* 39.)

(**50**) An Act respecting the Grand Trunk Railway Company of Canada.—(*Mr. Vidal.*)
1st R.*, 295.
2nd R. *m.* (Mr. Vidal), 303; M. agreed to, 303.
Reported (Mr. Dickey) from Ry. Com., with amts.: respecting proceeds of stock, 378; amt. concurred in, 378; respecting clause 13, struck out, 378; amt. concurred in, 379; respecting clause 16, meeting of company, 379; remarks, Mr. Vidal, 379; amt. concurred in, 379.
3rd R.*, 379.
Assent, 512.
(56 *Vict.*, *cap.* 47.)

(**52**) An Act to incorporate the Calgary Street Railway Company.—(*Mr. Lougheed.*)
1st R.*, 453.
2nd R.*, 453.
3rd R.*, 453.
Assent, 512.
(56 *Vict.*, *cap.* 40.)

(**53**) An Act respecting the Alberta Railway and Coal Company.—(*Mr. Lougheed.*)
1st R.*, 287.
2nd R.*, 287.
3rd R.*, 320.
Assent, 512.
(56 *Vict.*, *cap.* 38.)

(**54**) An Act to incorporate the Alberta Irrigation Company.—(*Mr. Lougheed.*)
1st R.*, 424.
2nd R.*, 437.
From Ry. Com. (Mr. Dickey) with amts., 460; concurrence *m.* (Mr. Lougheed) and M. agreed to, 461.
3rd R.*, 461.
Assent, 512.
(56 *Vict.*, *cap.* 69.)

(**55**) An Act respecting the Lake Erie and Detroit River Railway Company.—(*Mr. Casgrain.*)
1st R.*, 278.
2nd R.*, 282.
Reported from Ry. Com. without amt.*, 287.
3rd R.*, 287.
Assent, 512.
(56 *Vict.*, *cap.* 50.)

(**56**) An Act to revive and amend the Act to incorporate the Moncton and Prince Edward Island Railway and Ferry Company.—(*Mr. Poirier.*)
1st R.*, 320.
2nd R.*, 343.
Reported (Mr. Dickey) from Ry. Com., with amts., 406; concurrence *m.* (Mr. Poirier); M. agreed to and 3rd R. of B., 407.
Assent, 512.
(56 *Vict.*, *cap.* 54.)

BILLS—*Continued.*

(57) An Act to amend the Act to incorporate the Montreal and Atlantic Railway Company.—(*Mr MacInnes, Burlington.*)
1st R.*, 278.
2nd R.*, 282.
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3rd R.*, 288.
Assent, 512.
(56 *Vict., cap.* 55.)

(58) An Act to incorporate the Automatic Telephone and Electric Company of Canada.—(*Mr. Murphy.*)
1st R.*, 424.
2nd R.*, 447.
3rd R.*, 453.
Assent, 512.
(56 *Vict., cap.* 73.)

(59) An Act to incorporate the Canada Carriage Company.—(*Mr. Read, Quinté.*)
1st R.*, 295.
2nd R.*, 320.
Reported (Mr. Macdonald) from Select Com. on Standing Orders and Private Bs., 437; remark: Mr. Kaulbach, and M. agreed to, 437.
3rd R. *m.* (Mr. Read) and 3rd R. of B.*, 437.
Assent, 512.
(56 *Vict., cap.* 87.)

(61) An Act respecting the disposal of moneys paid in connection with proceedings before Parliament.—(*Mr. Bowell.*)
1st R.*, 295.
2nd R. *m.* (Mr. Bowell), 340; remarks: Messrs. McKay, Bowell, Scott, Miller, Power, McDonald (N.S.), 341; M. agreed to, 341.
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Reported (Mr. Perley) without amt., 366.
3rd R.*, 366.
Assent, 512.
(56 *Vict., cap.* 8.)

(62) An Act to revive and amend the Act to incorporate the Equity Insurance Company, and to change the name of the Company to the St. Lawrence Insurance Company.—(*Mr. MacInnes, Burlington.*)
1st R.*, 303.
2nd R. *m.* (Mr. MacInnes), 341; question as to name of company: Mr. Power, 341; reply: Mr. MacInnes, 342; M. agreed to, 342.
Reported from Banking and Commerce Com.*, 379.
3rd R.*, 379.
Assent, 512.
(56 *Vict., cap.* 79.)

63) An Act respecting the Canadian Power Company.—(*Mr. Power.*)
1st R.*, 367.
2nd R. *m.* (Mr. Ferguson), and M. agreed to, 388.
3rd R.*, 407.
Assent, 512.
(56 *Vict., cap.* 89.)

BILLS—*Continued.*

(66) An Act to incorporate the Grand Council of the Catholic Mutual Benefit Association of Canada.—(*Mr. Sullivan.*)
1st R.*, 394.
2nd R.*, 406.
Reported (Mr. Allan) from Banking and Commerce Com., with amt. (incorporators under present Act), 425; concurrence *m.* (Mr. McKindsey, for Mr. Sullivan), 425; M. agreed to, 426.
3rd R.*, 426.
Assent, 512.
(56 *Vict., cap.* 90.)

(67) An Act to revive and amend the Act to incorporate the North Canadian Atlantic Railway and Steam-ship Company, and to change the name thereof to "The Quebec and Labrador Railway and Steam-ship Company."—(*Mr. Casgrain.*)
1st R.*, 320.
2nd R.*, 343.
Reported (Mr. Dickey) from Ry. Com., with amts., 425; concurrence *m.* (Mr. Dickey) and agreed to, 425.
3rd R.*, 425.
Assent, 512.
(56 *Vict., cap.* 58.)

(68) An Act respecting the Columbia and Kootenay Railway and Navigation Company.—(*Mr. Power.*)
1st R.*, 320.
2nd R.*, 343.
3rd R. *m.* (Mr. Macdonald), 430; amt. *m.* (Mr. McInnes), to strike out cl. permitting construction of branches up to 30 miles in length, 430; debate: Mr. Macdonald, 431; Messrs. Kaulbach, Scott, McInnes, 432; Messrs. Scott, McInnes, McClelan, 433; Mr. Bowell, 434; Messrs. MacInnes, Power, Scott, Macdonald (B.C.), 435; Messrs. McInnes, Scott, MacInnes, 436; Amt. lost (C. 17, N-C. 27), 437.
3rd R.*, 437.
Assent, 512.
(56 *Vict., cap.* 45.)

(69) An Act to incorporate the Canada Atlantic and Plant Steam-ship Company, Limited.—(*Mr. Power.*)
1st R.*, 453.
2nd R.*, 453.
3rd R.*, 453.
Assent, 512.
(56 *Vict., cap.* 65.)

(70) An Act to incorporate the Nakusp and Slocan Railway Company.—(*Mr. Macdonald, B.C.*)
1st R.*, 459.
2nd R.*, 459.
3rd R.*, 461.
Assent, 512.
(56 *Vict., cap.* 56.)

(71) An Act respecting the Drummond County Railway Company.—(*Mr. McMillan.*)
1st R.*, 459.
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2nd R. presently *m.* (Mr. McMillan), 459; objection, Mr. Guévremont (postponement of 2nd R. till to-morrow for French copies of B.), 460; debate on procedure: Messrs. Power, Ogilvie, Guévremont, 460; 2nd R. allowed to stand, 460.

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M. declared lost, 504.

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Assent, 512.

(56 *Vict., cap.* 46.)

BILLS—*Continued.*

(77) An Act to further amend the Act to enable the City of Winnipeg to utilize the Assiniboine River water power.—(*Mr. Lougheed.*)
1st R.*, 367.
2nd R.*, 406.
3rd R.*, 425.
Assent, 512.
(56 *Vict., cap.* 72.)

(78) An Act respecting the British America Assurance Company.—(*Mr. Allan.*)
1st R.*, 440.
2nd R. *m.* (Mr. Allan), 452; M. agreed to, 453.
3rd R.*, 453.
Assent, 512.
(56 *Vict., cap.* 75.)

(79) An Act to incorporate the North American Canal Company.—(*Mr. Clemow.*)
1st R.*, 459.
2nd R.*, 459.
3rd R.*, 459.
Assent, 512.
(56 *Vict., cap.* 66.)

(80) An Act respecting the Temiscouata Railway Company.—(*Mr. Pelletier.*)
1st R.*, 440.
2nd R. *m.* (Mr. Pelletier), and M. agreed to, 452.
3rd R.*, 453.
Assent, 512.
(56 *Vict., cap.* 61.)

(83) An Act respecting the Toronto, Hamilton and Buffalo Railway Company.—(*Mr. Lougheed.*)
1st R.*, 459.
2nd R.*, 459.
3rd R.*, 459.
Assent, 512.
(56 *Vict., cap.* 62.)

(84) An Act respecting the Canadian Pacific Railway Company.—(*Mr. MacInnes, Burlington.*)
1st R.*, 367.
2nd R. *m.* (Mr. MacInnes), 398; ques. as to the privileges restored by the B. (Mr. Kaulbach), 398; reply: Mr. Scott, 398; remarks: Messrs. MacInnes, Boulton, Scott, 399; M. agreed to, 399.
3rd R.*, 425.
Assent, 512.
(56 *Vict., cap.* 41.)

(85) An Act to incorporate the Canadian Gas Association.—(*Mr. Clemow.*)
1st and 2nd R.*, 453.
3rd R.*, 453.
Assent, 512.
(56 *Vict., cap.* 74.)

(86) An Act respecting the Chilliwhack Railway Company.—(*Mr. MacInnes, Burlington.*)
1st R.*, 394.
2nd R.*, 406.
3rd R.*, 425.
Assent, 512.
(56 *Vict., cap.* 43.)

BILLS—*Continued.*

(87) An Act to incorporate the British Columbia Dock Company.—(*Mr. McInnes, B.C.*)
1st R.*, 394.
2nd R. *m.* (Mr. McInnes) and M. agreed to, 406.
3rd R.*, 453.
Assent, 512.
(56 *Vict.*, *cap.* 68.)

(89) An Act respecting the Nelson and Fort Sheppard Railway Company.—(*Mr. Reid, B. C.*)
1st R.*, 424.
2nd R. *m.* (Mr. Reid) and M. agreed to, 437.
3rd R.*, 453.
Assent, 512.
(56 *Vict.*, *cap.* 57.)

(92) An Act to amend the Merchant Shipping Act, with respect to load-lines.—(*Mr. Bowell.*
1st R.*, 459.
2nd R.*, 459.
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Amt. *m.* (Mr. Bowell) to conform to wording of Imperial Statute, 466 ; remarks : Messrs. Kaulbach, Bowell, Power, Bowell, Dever, 466 ; M. agreed to, 466.
B. reported (Mr. Macdonald) with amt., concurred in, 467.
3rd R. *m.* (Mr. Bowell) and M. agreed to, 473.
Assent, 512.
(56 *Vict.*, *cap.* 22.)

(97) An Act to amend the Act respecting the Harbour and River Police of the Province of Quebec.—(*Mr. Bowell.*)
1st R.*, 452.
2nd R. *m.* (Mr. Bowell), 458 ; ques. (Mr. Pelletier) *re* abolition of Quebec river police; reply : Mr. Bowell, 458 ; M. agreed to, 458.
In Com. of the W.*, 458.
B. reported (Mr. Vidal) from Com., without amt., 458.
3rd R.*, 458.
Assent, 512.
(56 *Vict.*, *cap.* 20.)

(98) An Act to amend an Act to incorporate the Eastern Canada Savings and Loan Company, (Limited).—(*Mr. Power.*)
1st R.*, 440.
Suspension of 41st Rule *m.* (Mr. Power), 440 ; agreed to, 440.
2nd R. *m.* (Mr. Power) and M. agreed to, 440.
3rd R.*, 453.
Assent, 512.
(56 *Vict.*, *cap.* 83.)

(99) An Act respecting the Harbour Commissioners of Montreal.—(*Mr. Angers.*)
1st R.*, 459.
2nd R.*, 459.
In Com. of the W., amt. *m.* (Mr. Angers) to add sect., that Mayor of Montreal be, *ex-officio*, a member of Harbour Commission, 467 ; M. agreed to, 467.
Reported (Mr. MacInnes) from Com., with amt. ; concurred in, 467.
3rd R.*, 467.

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Amt. of Commons, to add another member to the commission ; concurrence *m.* (Mr. Angers), 510 ; M. agreed to, 510.
Assent, 512.
(56 *Vict.*, *cap.* 21.)

(103) An Act further to amend the Act respecting Public Officers.—(*Mr. Bowell.*)
1st R.*, 453.
2nd R. *m.* (Mr. Bowell), and B. explained, 458 ; M. agreed to, 459.
In Com. of the W., and reported (Mr. Macdonald) without amt.*, 459.
3rd R.*, 459.
Assent, 512.
(56 *Vict.*, *cap.* 14.)

(104) An Act relating to the custody of Juvenile Offenders in the Province of New Brunswick.—(*Mr. Angers.*)
1st R.*, 494.
2nd R., under suspension of rule, and referred to Com. of the W., 494.
In Com. of the W. ; explanation of B. (Mr. Angers), 494.
Reported (Mr. Dever) from Com., without amt., 494.
3rd R.*, 494.
Assent, 512.
(56 *Vict.*, *cap.* 33.)

(106) An Act respecting the Ladies of the Sacred Heart of Jesus.—(*Mr. Robitaille.*)
1st R.*, 453.
2nd R. *m.* (Mr. Robitaille), 459 ; remarks : Mr. Power, *re* incorporation in Nova Scotia, 459.
M. agreed to, 459.
3rd R.*, 461.
Assent, 512.
(56 *Vict.*, *cap.* 91.)

(109) An Act further to amend the Dominion Lands Act.—(*Mr. Bowell.*)
1st R.*, 490.
2nd R.*, 490.
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Reported (Mr. MacInnes) without amt., 494.
3rd R. of B.*, 494.
Assent, 512.
(56 *Vict.*, *cap.* 18.)

(110) An Act further to amend the Patent Act.—(*Mr. Angers.*)
1st R.*, 474.
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Reported (Mr. Dever) from Com. with amt., 475 ; concurred in, 475.

BILLS—*Continued.*
3rd R.*, 475.
Assent, 512.
(56 *Vict., cap.* 34.)

(112) An Act further to amend the Petroleum Inspection Act.—(*Mr. Bowell.*)
1st R.*, 496.
Suspension of rules and 2nd R. *m.* (Mr. Bowell), 496 ; M. agreed to, 496.
3rd R.*, 496.
Assent, 512.
(56 *Vict., cap.* 36.)

(116) An Act to amend the Homestead Exemption Act.—(*Mr. Bowell.*)
1st R.*, 509.
Suspension of rules and 2nd R. *m.* and B. explained (Mr. Bowell), exemption extended to 160 acres, 509 ; M. agreed to, 510.
3rd R.*, 510.
Assent, 512.
(56 *Vict., cap.* 19.)

(118) An Act to amend the Act respecting the Royal Military College.—(*Mr. Bowell.*)
1st R.*, 495.
Suspension of rule and 2nd R. *m.*, and B. explained (Mr. Bowell), fixing of salaries of the Staff, revised regulations for selection of candidates for cadetships, &c., 495 ; M. agreed to, 495.
3rd R.*, 495.
Assent, 512.
(56 *Vict., cap.* 17.)

(122) An Act to confirm the sale of the Carleton, City of Saint John, branch railroad.—(*Mr. Bowell.*)
1st R.*, 473.
2nd R., and suspension of 41st Rule *m.* (Mr. Bowell), 473 ; ques. (Mr. Dickey) as to arrangement carried out ; reply : Mr. Bowell, 473 ; M. agreed to, 473. In Com. of the W.*, 473.
Reported (Mr. MacInnes) without amt., 473.
3rd R.*, 474.
Assent, 512.
(56 *Vict., cap.* 6.)

(123) An Act respecting the Voters' Lists of 1893.—(*Mr. Bowell.*)
1st R.*, 480.
2nd R. *m.* (Mr. Bowell), 488 ; ques. (Mr. McInnes) revision of lists before elections ; reply : Mr. Bowell, 488 ; M. agreed to, 488.
In Com. of the W., remarks : Mr. Power, 489 ; Messrs. Kaulbach, Bowell, Power, 489.
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3rd R.*, 490.
Assent, 512.
(56 *Vict., cap.* 10.)

(124) An Act respecting the appointment of Commissioners to the World's Columbian Exposition.—(*Mr. Angers.*)
1st R.*, 494.
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3rd R.*, 495.
Assent, 512.
(56 *Vict., cap.* 7.)

(125) An Act to prevent the manufacture and sale of Filled or Imitation Cheese, and to provide for the branding of Dairy Products.—(*Mr. Angers.*)
1st R*, 510.
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3rd R.*, 510.
Assent, 512.
(56 *Vict., cap.* 37.)

(126) An Act further to amend the Acts respecting the Duties of Customs.—(*Mr. Bowell.*)
1st R.*, 496.
2nd R. *m.* and B. explained (Mr. Bowell), binder twine, machinery, 496 ; M. agreed to, 496.
3rd R. *m.* (Mr. Bowell), 504 ; debate (upon binder twine, coal-oil, tariff reduction generally) : Messrs. Power, Bowell, 504, 505—Messrs. Dever, Power, 506 ; M. agreed to, 506.
3rd R.*, 506.
Assent, 512.
(56 *Vict., cap.* 16.)

(127) An Act to authorize the granting of Subsidies in aid of the construction of the lines of Railway therein mentioned.—(*Mr. Bowell.*)
1st R.*, 494.
Suspension of rule 41 *m.* (Mr. Bowell) and 2nd R. *m.* (Mr. Bowell), 494 ; remarks : Messrs. Power, Bowell, 494 ; M. agreed to, 494.
3rd R.*, 494.
Assent, 512.
(56 *Vict., cap.* 2.)

(129) An Act to amend the Act respecting Ocean Steam-ship Subsidies.—(*Mr. Bowell.*)
1st R.*, 496.
2nd R. *m.* and B. explained (Mr. Bowell) subsidy to line to Australia, 496 ; remarks : Messrs. Allan, Bowell, Power, 497 ; M. agreed to, 498.
3rd R.*, 498.
Assent, 512.
(56 *Vict., cap.* 5.)

(132) An Act further to amend the Act respecting the Senate and House of Commons.—(*Mr. Bowell.*)
1st R.*, 495.
Suspension of Rule *m.* (Mr. Bowell), 495 ; objection (Mr. Power), 495. 2nd R. (at next sitting of House) *m.* (Mr. Bowell), 495 ; M. agreed to, 495.
2nd R. *m.* (Mr. Bowell), 506 ; debate : Messrs. Allan, Power, 506 ; M. agreed to, 507.
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Assent, 512.
(56 *Vict.*, *cap.* 11.)

(135) An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial years ending respectively the 30th June, 1893, and the 30th June, 1894, and for other purposes relating to the Public Service.
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Assent, 513.
(56 *Vict.*, *cap.* 1.)

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2nd R. *m.*, (Mr. Allan), 452; M. agreed to, 453.
3rd R.*, 453.
Assent, 512.
(56 *Vict.*, *cap.* 75.)

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3rd R.*, 453.
Assent, 512.
(56 *Vict.*, *cap.* 68).

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  3rd R.*, 252.
  Assent, 512.
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  1st R.*, 440.
  2nd R.*, 452.
  3rd R.*, 461.
  Assent, 512.
  (56 *Vict., cap.* 70.)

Calgary Irrigation Co. Incorp. B. (35).—*Mr. Lougheed.*
  1st R.* 424.
  2nd R.*, 437.
  3rd R.*, 461.
  Assent, 512.
  (56 *Vict., cap.* 71.)

Calgary Street Ry. Incorp. B. (52).—*Mr. Lougheed.*
  1st R.*, 453.
  2nd R.*, 453.
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  Assent, 512.
  (56 *Vict., cap.* 40.)

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  1st R.*, 453.
  2nd R.*, 453.
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  Assent, 512.
  (56 *Vict., cap.* 65.)

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- *Bill, Salary clause in.*—*See* "Estimates overriding statute" (below).
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(56 *Vict.*, *cap.* 34.)

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3rd R.*, 425.
Assent, 512.
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